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ABSTRACT

This report contains the results of a nationwide survey of state regulatory agencies and is intended to update family day care licensing information gathered in 1990. In May 1991, the central regulatory agency in each of 50 states and the District of Columbia was asked to verify information gathered in the 1990 survey and answer further questions on family day care homes. Introductory sections of this report concern: (1) definitions of terms used in the report; (2) a list of answers, drawn from the survey data, to frequently asked questions about day care center regulation; and (3) a tabular presentation of states' regulations concerning licensing and number of children allowed per home. The bulk of the report consists of a state-by-state listing of the information gathered from the questionnaire. This information is presented in nine categories: (1) regulations and requirements, including an in-depth examination of requirements for large family day care homes; (2) training and orientation; (3) provider qualifications; (4) discipline; (5) zoning; (6) regulations concerning sick children; (7) the National Life Safety Fire Code; (8) a list of local offices; and (9) pending legislation. It is concluded from the study that there is no uniformity among states in the regulation of family day care, and that there are variations among the states in dealing with each of the nine categories. (BC)

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Kay Hollestelle

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1991 FAMILY DAY CARE LICENSING STUDY

Introduction

The 1991 Family Day Care Licensing Study contains the results of a nationwide survey of state regulatory agencies to update family day care licensing information gathered in 1990. Again this year's study includes an in-depth examination of regulatory requirements for large family day care homes (LFDCH). A decision was made to continue including this additional information because of the growing number of these large facilities and their potential for increasing the supply of child care.

This data has been organized into 9 categories: regulations and requirements, training and orientation, provider qualifications, discipline, zoning, sick child care regulations, National Life Safety Fire Code, local contacts, and pending legislation. Under the category of regulations and requirements we have included the specific regulations that exist for large family day care homes. LFDCH still must adhere to all regulations that apply to FDCH unless otherwise noted.

The overriding conclusion to be drawn from this study is that there is no uniform way in which states regulate family day care and that for each category such as training, there are a number of variables and exceptions to be found even when states define the categories in very similar ways. This should not come as a surprise to anyone but it does underscore the difficulty of getting a "status quo" on family day care in this country.

It is the intention of The Children's Foundation that the information in this study be useful to child care providers, advocates, the media, and policy makers as each group makes decisions about or works on behalf of children and families.

August 1991

Methodology

This study is an update of information originally compiled in 1976. The data was secured from the central regulatory agency in each of the 50 states and the District of Columbia. The agencies were asked to verify the information we had gathered in a 1990 update and answer further questions on family day care homes and large family day care homes. This mailing took place during the month of May, 1991.

After this information was gathered, proof sheets were sent back to the regulatory agencies for verification. Verification took place during the months of June and July. If a state has two astericks (**) after the state name, it means we did not have verified information by date of press.

The name and address of the state agency that supplied and verified the information for each state is located at the top of each state's fact sheet.

Acknowledgements

We are grateful to the various child care officials in state agencies across the country who took time out of their busy schedules to provide and verify the information contained in this study.

We would particularly like to thank Alice Kirsch, our student intern from the University of Virginia, who conducted most of the work on this study.

We hope that this study will be of continuing value to those working in the area of family day care.

Kay Hollestelle
Executive Director

Definitions

These definitions are the ones established and used by The Children's Foundation for this study. We have attempted to be as clear and precise as possible but variations do exist from state to state. Please refer to individual state data or secure complete state regulations if questions arise.

CERTIFICATION/APPROVAL: Refer to definition of Registration. For all practical purposes is the same as registration but often linked to providers receiving public funds.

FAMILY DAY CARE HOME (FDCH): A child care arrangement in which usually up to six children are cared for in the home of the caregiver. Preschool children of the caregiver are counted as part of the group being served. State laws vary in determining the maximum number of children allowed in the home. The age of the children is sometimes used in establishing maximums.

INFANT: A child twenty-four months (2 years) old or younger.

LARGE FAMILY DAY CARE HOME (LFDCH): A child care arrangement in which a provider usually cares for from seven to twelve children in the home of the provider with an assistant(s) present. Some states refer to these homes as group homes.

LICENSING: The granting of formal permission by a designated state or local agency to an individual or legal entity to operate a child care facility. The state/local agency has the authority to ensure that standards are being met, set procedures for revoking a license and provide appeal mechanisms. In addition to the inspections carried out by the licensing agency, local fire and health departments also carry out on-site inspections of family day care homes. Generally, a license is issued and renewed as long as all of the applicable regulations are being met. The purpose, then, is to protect vulnerable consumers by setting a minimum floor for reasonably safe service.

ORIENTATION: An introduction to the profession of family day care offered to prospective providers. The state regulations regarding family day care, an overview on how to establish a family day care home, and the responsibilities of family day care providers are all topics that are normally covered in an orientation. Orientations are usually provided by local regulatory agencies.

PROVIDER: An individual who provides care in her/his own home.

REGISTRATION: Type 1: Registration is a form of regulation that stresses caregiver self-inspection and parent awareness. It is intended to identify service providers that the government cannot or chooses not to license. The process works in the following way: Registration standards are determined. (Generally standards used in licensing). When the provider receives information detailing these standards, she/he does a self-study to determine whether these standards are met. This study usually includes self-certification that the provider has met certain fire and health standards. On receipt of this information by the regulating agency, the FDCH is considered to be registered and has permission to operate. Inspections in many cases are not made unless a complaint is lodged. In some instances, parents are provided with a copy of the regulations and a form for filing a complaint.

Type 2: In some states, registration is a simple sign-up procedure where operating FDCHs are listed with the regulatory agency. These homes are not required to meet specified day care standards.

SELF-CERTIFICATION: Self-certification is a process where a potential provider gets a form from the proper licensing agency, fills it out as it pertains to the potential FDCH, usually needs to get the form notarized, and then returns the form to the licensing agency.

SYSTEM: Any sponsoring organization who approves family day care homes as members of its system. Systems refer children to available homes in that system, provide administrative functions (technical assistance, evaluation, supervision, inspection, etc.) to homes in that system, and make referrals of children to available health and social services.

TRAINING: Mandatory instruction received by practicing family day care providers on topics such as child development, child abuse identification, program planning, first aid, CPR, and health and safety. Only some states require training prior to licensure or registration. The number of training hours and whether the training is required annually differ among the states.

ZONING: A form of land use restriction which has as its purpose the protection of private property values or neighborhood characteristics. Increasingly becoming a barrier to provision of family day care when local jurisdictions do not allow this care as a permitted use of residence.

1991 FAMILY DAY CARE LICENSING STUDY
The Children's Foundation

Questions and Answers Summary

In this section, the data is presented in a question and answer format in order to address the most frequently asked questions about family day care regulations in the United States. We invite you to refer to the study itself for details on each state.

Q - How many regulated family day care providers are there in the United States?

A - The results of our survey indicate that there are currently 246,745 regulated family day care providers in the United States. This figure includes small and large homes. Of that figure, at least 18,918 and possibly more of these providers, have large family day care homes (LFDCH) often referred to as group family day care homes. The 1990-91 update of our National Directory of Family Day Care Associations indicates that these providers are being represented by about 1100 provider associations and support groups throughout the country.

Q - In terms of regulation, how many states license, register, or certify family day care providers?

A - Some states have chosen one form of regulation exclusively while others have chosen combinations of two methods of regulation depending on whether a day care home is small or large and whether it receives public funds or not. In addition, some states give providers the choice between two methods of regulation.

Nineteen states, 37%, have chosen licensing exclusively: AL, AK, CA, CO, DC, IL, IN, MN, MO, NV, NH, NM, NY, ND, OK, TN, UT, WA, WY.

Six states, 12%, have chosen registration exclusively: CT, GA, HI, MD, MA, MT.

Ten states, 20%, have chosen a combination of registration and licensing: FL, KS, ME, MI, NC, PA, SC, SD, TX, VT.

One state, 2%, has chosen certification exclusively: AZ.

Three states, 6%, has chosen a combination of certification and licensing: OH, RI, WI.

Two states, 4%, have chosen voluntary registration exclusively: IA, NJ.

Three states, 6%, have chosen to combine licensing and voluntary registration: AR, KY, MS.

Two states, 4%, have chosen a combination of voluntary registration and certification: ID, OR.

Two states, 4%, have chosen self-certification exclusively: DE, NE.

The following states have a combination of requirements that do not fall into the aforementioned categories. Please refer to state data.

LA - "Alternate approval" process for CCFP participation because there is no state licensing requirement.
VA - Licensing for providers caring for more than 5 children. Agency approval for homes accepting children exclusively from welfare or social service departments.
WV - Potential providers must receive approval from the State Department of Human Services if they receive federal funds.

Q - How many states have established provisions for LFDCH (large family day care homes)?

A - Thirty-nine states, 76%, have declared LFDCH as a separate category for the purposes of licensing regulations. These states are: AL, AZ, AR, CA, CO, CT, DE, HI, ID, IL, IA, KS, KY, MA, MI, MN, MS, MT, NE, NV, NH, NM, NY, NC, ND, OH, OR, PA, RI, SC, SD, TN, TX, UT, VT, WA, WY. In all of these states except for one, LFDCH are regulated by the same agency as FDCH. In CT LFDCH are regulated by another agency. The following states have pending legislation regarding LFDCH: AK and NJ.

Q - How many states have a provider/infant ratio of 1:2 or 1:3? (The Children's Foundation's definition of infant is a child 24 months or younger.)

A - Twenty-six states, 51%, have a 1:2 or 1:3 ratio for provider to infants. These states have a 1:2 ratio: AR, AZ (DES), CT, DC, KY, LA, MA, MD, NM, NY, OR, RI, UT, VT, WA, WV, WY. HI and NE also have a 1:2 ratio but these states define an infant as a child 18 months and younger. MN has a 1:2 ratio, but defines an infant as a child 12 months and younger; with 5 children 1 infant is allowed, and with 6 children 2 infants are allowed. AK has a 1:2 ratio, but defines infants as children 30 months and younger. NV has a 1:2 ratio with children under 12 months and a 1:4 ratio with children under 24 months.

These states have a 1:3 ratio: CA, IL, NJ, OH.

Q - How many states have no training requirement for providers?

A - Twenty states, 39%, have no training requirement for providers. They are AZ (DES), CA, CT, HI, ID, IL, IN, ME, MA, MD, MS, MO, MT, ND, OK, OR, PA, SC, VA, WA. Of those, the following, AZ (DHS), CT, MD, ND, OR, and WA do require training for LFDC providers. MD will be requiring training starting on 1/1/92.

The remaining 31 states have some kind of training requirements which range from CPR or first aid to courses in child development.

Q - How many states require potential providers to participate in an orientation session(s)? Do any states require both orientation and training?

A - Thirteen states, 25%, require attendance at an orientation session: **AK, AZ, CA, DE, HI, LA, MD, MI, OR, TN, TX, VT, WA.**

Ten states, 20%, require both orientation and training: **AK, AZ (DHS), DE, LA, MD, MI, TN, TX, VT, WA.**

Fourteen states, 37%, do not require prospective family day care providers to attend orientation. These states are: **AL, AR, CO, CT, DC, ID, IL, IN, ME, MA, MS, MO, SC, SD.**

The remaining 24 states made no specific mention of any orientation requirements.

Q - What is the age requirement to be a family day care provider?

A - The overwhelming majority of the states, approximately 80%, require that a person be at least 18 years of age to be a family day care provider. A few states have different age requirements. **AL, AK, NE,** and **WY** require that a person be 19 years old and **CT** requires that a person be 20 years old. **AR, AZ (DHS), GA, KY, MS,** and **TX** require that a person be 21 years old to be a provider. In **NC, RI, SC,** and **SD** LFDCH providers must also be 21 years old. **LA** requires that a person be 18 years old but the licensing agency makes the final decision. Only one state puts a top range on its age limit of eligibility: in **DC** a person can be no older than 71.

Q - How many states require either a physical examination and/or a TB test of potential providers?

A - Thirty-eight states, 75%, have a physical exam and/or TB test requirement. The states that have <u>no</u> such requirement are: **FL, GA, ID, IN, LA, MS, MT, ND, OH, OR, TX, VT, WA.**

Q - How many states screen potential providers through criminal record checks, fingerprinting, or the Child Abuse Registry?

A - Fourty-two states, 82%, have some sort of criminal check. These states are: **AK, AZ, CA, CO, CT, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, MA, ME, MD, MI, MN, MS, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OR, PA, RI, SC, SD, TX, UT, VT, VA, WA, WV, WI.**

AL: not required unless someone in the household or provider admits to being arrested, charged, or convicted of a criminal offense.

ID: criminal record checks are done for those providers who have not been continuous residents of the county three years prior to application or employment in the day care home.

NE: some sites have permit requirements which include criminal record checks.

Q - How many states have square footage of space requirements, both inside and outside the home, to be a family day care provider? What are the requirements?

A - Thirty-seven states, 73%, have some sort of space requirements. Twenty-nine of these states require a minimum of 35 square feet per child inside the family day care home and have various outdoor requirements. These states are: **AR, CO, DC, GA, HI, IN, KY, LA, ME, MI, MN, MS, MO, MT, NE, NV, NH, NM, ND, OH, OK, OR, RI, SC, UT, VT, WA, WI, WY.** The other eight states have unique space requirements. These states are: **AZ, ID, KS, MA, NC, PA, SD, TN.** Refer to each state's listing for the specific requirements. The remaining fourteen states have no space requirements.

Q - How many states have regulations specifically for sick child care?

A - Twenty-four states, 47%, have some sort of regulations regarding sick child care. These states are: **AK, AZ, CA, DE, FL, IL, IN, IA, KS, MI, MS, MO, NM, ND, OH, OK, OR, RI, SC, SD, TX, UT, VA, WA.** Of these states, **DE** and **MO** have regulations for facilities that are expressly for sick children only. Seven states, 14%, are currently developing regulations for sick child care. These states are: **AR, GA, MA, NV, NY, TN, WY.**

The complete study, which includes data on each state, is available from The Children's Foundation for $20.00 which includes third class postage. First class shipment is available for an additional 10%.

REGULATORY REQUIREMENTS FOR SMALL FAMILY DAY CARE PROVIDERS

State	Type of Regulation	Children Allowed in the Home
Alabama	licensing	1-6
Alaska	licensing	1-4 exempt 5-6
Arizona	certification -DES -DHS	 1-4 1-4 exempt 5-10
Arkansas	voluntary registration licensing	1-5 6 or more
California	licensing	1-6
Colorado	licensing	1-6 + 2 before & after sch.
Connecticut	registration	1-6 + 3 before & after sch.
Delaware	self-certification	1-6
District of Columbia	licensing	1-5
Florida	licensing, if receiving public funds registration	1-5 + 5* before & after sch.
Georgia	registration	1-2 exempt 3-6
Hawaii	registration	1-6
Idaho	voluntary licensing	1-6
Illinois	licensing	1-3 exempt 4-8
Indiana	licensing	1-5 exempt 6-10 + 5 part-time

Iowa	voluntary registration	1-6
Kansas	registration licensing	1-6 7-12
Kentucky	voluntary registration licensing	1-3 4-12
Louisiana	alternate approval	1-6
Maine	licensing/registration (provider's choice)	1-2 exempt 3-12*
Maryland	registration	1-8
Massachusetts	registration	1-6
Michigan	registration	1-6
Minnesota	licensing	1-10*
Mississippi	voluntary registration licensing	1-5 6 or more
Missouri	licensing	1-10
Montana	registration	1-6
Nebraska	self-certification	1-8
Nevada	licensing	1-4 exempt 5-6
New Hampshire	licensing	1-6 + 3 school age
New Jersey	voluntary registration	1-8
New Mexico	licensing	1-4 exempt 5-6
New York	licensing	1-2 exempt 3-6
North Carolina	registration	1-2 exempt 3-5 + 3 before & after sch.
North Dakota	licensing	1-5 exempt 6-7

Ohio	certification, if receiving public funds	1-6
Oklahoma	licensing	1-5
Oregon	voluntary registration	1-10*
Pennsylvania	registration	1-3 exempt 4-6
Rhode Island	certification	1-6*
South Carolina	licensing/registration (provider's choice)	1-6
South Dakota	registration, if receiving public funds	1-12
Tennessee	licensing	1-7
Texas	registration	1-6 + 6 school age
Utah	licensing	1-3 exempt 4-6
Vermont	registration, if children are from more than two families	1-6 + 4 before & after sch.
Virginia	licensing	1-5 exempt 6-10*
	approval, if any children from local Dept. of Welfare or Social Services	
Washington	licensing	1-10*
West Virginia	none; approval, if receiving federal funds	1-6*
Wisconsin	certification, if receiving public funds	1-3
	licensing	4 or more
Wyoming	licensing	1-6

* See individual state listing for breakdown by ages.

STATE BY STATE BREAKDOWN

OF FAMILY DAY CARE REGULATIONS

ALABAMA

Information
Supplied By: Ms. June Perry, Supervisor
Alabama DHS - ODCCD
50 Ripley St.
Montgomery, AL 36130
(205) 242-1425

2,750 licensed family day care homes statewide.

Regulations and Requirements
-Requires licensing; no fee; renewal every two years.
-Staff/child ratio is 1:6; family members not included.
-Liability insurance not required.
-Substitute caregiver system required before licensing; substitute caregiver not required to be licensed.
-Homes inspected before license is granted; subsequent on-site visits annually; no advance notice required for on-site visit.
-No space requirement.
-Provisions for LFDCH have been set. Have group day care homes with 2:12 ratio.

Training and Orientation
-Licensing includes a training requirement. Four hours of training every two years, documentation required.
-Orientation for prospective providers not required but is conducted in some counties.

Provider Qualifications
-Provider must be at least 19 years old.
-Provider required to have physical exam initially and every four years.
-Family members must have physical exam initially if they are involved with the child care and every four years thereafter.
-Three written references required before licensing.
-No criminal record checks are done unless the provider or anyone in the household admits to being convicted of a criminal offense.

Discipline
-Corporal punishment prohibited.

Zoning
-Day care homes must comply with local ordinances.

Sick Child Care Regulations
-None.

National Life Safety Fire Code
-Not adopted.

Local Contact
-County Department of Human Resources.

Pending Legislation
-None.

ALASKA

Information
Supplied By: Patricia O'Brien
Department of Health and Social Services
Division of Family and Youth Services
P.O. Box H-05
Juneau, AK 99811-0630
(907) 465-2145

Approximately 400 state licensed family day care homes and about 300 federal licensed family day care homes on military installations.

Regulations and Requirements

-Licensing required for 5 or more unrelated children; no fee.
-Licenses renewed biennially through reapplication/annual monitoring.
-Family Child Care Home (FCCH) provider may care for maximum of 6 children unrelated to the provider; maximum of 2 may be under 30 months of age, regardless of ages of other children cared for.
-Liability insurance not required.
-Substitute providers may be arranged; substitutes must meet same requirements as primary providers unless substitutes are providing care in the case of an emergency. There must be emergency care arrangements.
-Inspections of day care homes occur before licensure; subsequent visits annually - announced and unannounced visits occur.
-Development of regulations for FCCGH now in process.

Training and Orientation

-FCCH providers must have first aid and CPR training prior to licensure.
-Orientation is provided for potential providers who reside in large communities - licensing regulations, licensing process, and a time for questions and answers included in orientation.
-Training is offered by some profit and nonprofit groups in the more populated sections of Alaska; difficult to have uniform training regulations because of the population dispersement in the state.
-Special training offered for providers who include disabled children/infants in their care.

Provider Qualifications

-FCCH provider must be 19 years old.
-Physical exams required of prospective providers only if deemed necessary; TB test is required.
-Three positive written references required.
-Potential providers and other adults in home must sign statement verifying that they have no criminal record.
-No criminal record check or fingerprinting done, unless special circumstances warrant a check.
-Access to arrest data is planned.
-Fingerprinting is under discussion, but no decision has been reached.

Discipline

-Corporal punishment limited and requires parental consent.

Zoning

-FCCH must comply with local ordinances.

Sick Child Care Regulations

-A facility:
  -May not admit a child who shows definite signs of illness.
  -Shall notify parent if child becomes ill while in care.
  -Shall notify parent if child becomes too ill to remain in facility so child may be picked up as soon as possible.
-A facility that allows mildly ill child to remain in facility shall:
  -arrange a plan of care with parent.
  -provide a place where child may rest or play quietly apart from other children, yet under adult supervision.
-A facility shall inform parent if child is exposed to communicable disease or contagious conditions.

National Life Safety Fire Code

-Not adopted.

Local Contact

-The local office of the Alaska Division of Family and Youth Services, Department of Health and Social Services, (907) 456-2145.

Pending Legislation

-Provider will not be allowed to care for more than 8 children including provider's own.
-Changes being implemented around the Alaska Fire Code:
  -Smoke detectors will be required to be wired into building's electrical system.
  -Providers who offer child care between 10 PM and 6 AM must have a sprinkler system.
  -A review fee of $25 to the State Fire Marshall is being considered.

Pending Regulation Changes:

-Family Child Care Group Home Category will be created (2 caregivers and 9 - 12 children).
-5 hours of training required annually for family providers.
-Pediatric rather than basic CPR training required; required first aid training recommended to be pediatric.
-Guidelines for identifying "mildly ill" children included.
-Age for administrator of family home change from 19 to 18.

ARIZONA

Arizona has two regulatory agencies for family day care. The Department of Economic Security deals only with providers caring for 1 to 4 DES-subsidized children. The Department of Health Services deals with providers caring for 5 to 10 children (who may or may not be subsidized).

Information
Supplied By: Judie Chalfin
Arizona Department of Economic Security (ADES)
Child Care Project, Site Code 801A
P.O. Box 6123
Phoenix, Arizona 85005
(602) 542-4259

1,526 ADES regulated family day care homes statewide.

Regulations and Requirements

-FDCH caring for DES-subsidized children must be certified; no fee. DES certification is renewable each year. Exception: Those clients qualifying under Family Support Act (FSA) requirements may elect to use the services of relative providers who are not certified with ADES.
-DES regulations limit a provider to care for no more than four children at a time not related to the provider from birth through 12 years of age; if provider has children related to that provider in care, there may be a total of six children between the ages of two and 12 or a total of five children if any of the children in care, related or unrelated to provider, are younger than two years of age, with no more than four children in care not related to provider. No more than two children younger than two years of age, related or unrelated to provider, may be in care at any one time.
-Liability insurance not required for ADES providers.
-Names of substitute caregivers must be submitted to DES upon certification of family child care providers; these caregivers are back-up providers and must have criminal record check and be fingerprinted.
-Home inspections occur prior to certification; there are subsequent quarterly visits, announced or unannounced.
-Space requirements: No specific square footage requirements for certification of family day care homes; family day care home space must be adequate. The certification worker may decide to reduce the number of children allowed to be cared for in the home because of size of the home, size of the rooms, etc.

Training and Orientation

-No training is required by DES at this time; voluntary training is available.
-Orientation session is required for DES prospective providers.

Provider Qualifications

-FDC provider must be at least 18 years of age.
-Physical exam required before provider can operate FDCH.
-Three references required.
-Criminal record check and fingerprint check required of prospective provider and family members and other household residents age 18 or older and back-up providers; fee is presently $23/person which provider must pay.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances; local jurisdictions responsible for enforcement.

Sick Child Care Regulations
-ADES does not regulate FDCH sick child care. ADES FDCH certification policy allows care of a child with a contagious illness when plans are based on competent medical advise and other children will not be endangered. A child who becomes ill while in care is to be isolated. The provider must notify the parent or responsible person as soon as possible. Provision of medical treatment is the responsibility of the parent/guardian. Emergency medical care plans are to be worked out between the parent and provider.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Family Day Care Home Certification - Department of Economic Security, Division of Social Services, Child Care Project.

Pending Legislation
-None.

***ARIZONA DEPARTMENT OF HEALTH SERVICES REGULATIONS**

Information Supplied By:

Yvonne Walker
Day Care Home Team Leader
Arizona Department of Health Services
Office of Child Day Care Licensure
100 West Clarendon
Phoenix, AZ 85013
(602) 255-1272

66 DHS regulated family day care homes statewide.

Regulations and Requirements
-DHS certifies group homes in Arizona. These certified group home providers may care for up to ten children from birth through age 12 not related to the provider, at any one time, and there may be a total of 15 children in care at one time, including children related to provider. There must be one caregiver for each five children in care. There are no age specific child/staff ratios.
-$30 certification fee good for 3 years.
-Minimum of 3 inspections during the first year; minimum of 2 unannounced inspections per year thereafter.
-Liability insurance required.
-Space requirements: inside - 30 sq. ft. open space per child; outside - 80 sq. ft. fenced space per child.

Training and Orientation
-Current CPR and child care first aid required.
-9 hours annual training required.
-Health and safety orientation required.

Provider Qualifications
-High school or equivalent required.
-Minimum age requirement for provider is 21.
-Written references on all staff required.
-TB skin tests required for all providers.
-All adults in home and staff required to be fingerprinted, registered with department, and background checked.

Local Contact
-Day Care Group Home Certification - Department of Health Services, Office of Child Day Care Licensure.

ARKANSAS

Information
Supplied By: Kathy Stegall
Division of Children and Family Services
P.O. Box 1437 Slot 720
Little Rock, AR 72202
(501) 682-8590

603 licensed and 296 registered family day care homes serving 7,736 children and 50-60 large family day care homes statewide.

Regulations and Requirements

-Licensing required if provider cares for 6 or more children from more than one family; fee is $15 annually and goes to Child Care Provider Training Fund; license renewed bi-annually.
-Voluntary Registration for homes exempt from licensure (caring for 5 or less children).
-One provider may care for up to 10 children in FDCH if all are over age 3.
-If 2 children are under age 2, maximum of 7 permitted in FDCH.
-Preschool family members included in all ratio numbers.
-Liability insurance not required, highly recommended.
-Substitute caregivers required before licensing; do not have to be licensed.
-FDCH inspected before licensure; subsequent inspections 4 times per year conducted at random, announced and unannounced.
-Space requirements: 35 sq. ft. indoors; 75 sq. ft. outdoors.
-**Large Family Day Care Homes:**
  -Can be licensed for up to 16 children.
  -Provider/child ratios:
    2: 11-14 (with no more than 4 children under 2 years).
    2: 15-16 (with no more than 2 children under 2 years).
  -Health and fire approvals mandatory when licensed for more than 10.

Training and Orientation

-Six hours of training annually is required.
-No formal orientation program for potential providers.
-Self-instructional Child Care Training Modules available from the Division.

Provider Qualifications

-FDC provider must be 21 years of age or older; some exceptions granted after special consideration.
-Annual physical exam required of provider and adult family members living in home.
-Three written references required for licensing.
-No criminal record checks or fingerprinting required.

Discipline

-Corporal punishment prohibited for children.

Zoning

-FDCH must comply with local ordinances.

Sick Child Care Regulations
-Regulated by use of "Alternative Compliance." Process of development of standards is anticipated for completion within one year.

National Life Safety Fire Code
-Not adopted through licensing. The state has it and enforces it for more than 10 children.

Local Contact
-Division of Children and Family Services.

Pending Legislation
-None.

CALIFORNIA

Information
Supplied By: Mike Davis
State Department of Social Services
Community Care Licensing Division
Central Operation Branch
744 P Street, M.S. 19-50
Sacramento, CA 95814
(916) 324-4329

47,422 regulated Family Day Care Homes (FDCH) statewide.

Regulations and Requirements

-Providers must be licensed; no fee.
-Staff/child ratio in FDCH is 1:6, with no more than 3 infants including the licensee's own children under the age of 10, or no more than 4 infants only. Small Family Day Care maximum capacity is 6.
-Licenses renewed every 3 years on basis of an unannounced renewal visit.
-Liability insurance (See below: requirements the same as LFDCH).
-Licensing requires an announced inspection before it is granted; subsequent unannounced visits every 3 years and on the occasion of a complaint.
-Regulations include section on parental involvement, which states that parents have access to their children at any time.
-Space requirement: None.
-**Large Family Day Care Homes:**
  -Staff/child ratio is 2:12, with no more than 4 infants. Maximum capacity is 12.
  -Required to have a fire clearance from the State Fire Marshall or local fire jurisdiction; all FDCH must have a fire extinguisher and a smoke alarm detector that meets Fire Marshall's standards.
  -Required to have one year experience as a regulated small FDC provider or as an administrator of a licensed day care center.
  -Following alternatives must be followed regarding liability insurance:
    1) Aggregate amount of $300,000 with at least $100,000 per occurrence, or
    2) $300,000 bond (annual aggregate), or
    3) Signed affidavit from each parent acknowledging that provider has neither insurance nor a bond.
    4) If the FDCH provider does not own the premises in which care is provided, the provider must advise the parents that the owner of the property or the homeowner's association, whichever is appropriate, may not provide insurance coverage for losses arising in connection with the FDCH.

Training and Orientation

-No training required, voluntary training programs are available.
-Orientation sessions for FDC and LFDC providers conducted by district and county licensing offices; consists of an overview of licensing procedures, regulations, and community services.

Provider Qualifications

-Provider must be at least 18 years old.
-No physical exam except a TB test is required.
-Criminal record check, fingerprinting and a Child Abuse Index check are required for every person over 18 who lives, or is regularly present in the provider's home; no fee for these checks which are conducted by California Department of Justice.

Discipline

-Corporal punishment prohibited; no written guidelines for discipline; methods of discipline discussed at orientation and before licensing occurs.

Zoning

-FDCH considered residential use of property for purposes of zoning.
-Law prohibits specific zoning against LFDCH, but are subject to special use permits in some areas. Fees have ranged from $300-1,600.

Sick Child Care Regulations

-If child shows signs of illness, the child shall be separated and nature of illness determined.
-If a communicable disease is determined, then the child shall be separated until the infectious stage is over.

National Life Safety Fire Code

-Not adopted.

Local Contact

-The state contracts with 25 counties to perform the licensing tasks for family day care and/or foster family homes. If a county contracts with the State of California, the potential family day care provider would contact the County Welfare Department; otherwise they would have to contact the State Community Care Licensing District Office nearest them.

Pending Legislation

-Pending legislation is proposing to charge family day care providers a $50.00 annual licensing fee.

COLORADO

Information
Supplied By: Grace Hardy
Licensing Administrator
Office of Child Care Services
Colorado Department of Social Services
1575 Sherman Street
Denver, CO 80203-1714
(303) 866-5958

6,351 total regulated family day care homes and large family day care homes.

Regulations and Requirements

-Providers who care for 2 or more children from more than 1 family on more than 2 consecutive days must be licensed; fee is $15, used to fund State child care licensing staff positions.
-Staff ratio is 1:6 including family members plus an additional 2 before and after school children; infant toddler home staff child ratio is 1:4.
-Liability insurance not required.
-FDCH inspected before licensing: 1 subsequent visit a year or whenever there is a complaint.
-Substitute caregiver required; need not be licensed.
-Licenses renewed biennially through renewal application.
-Space requirements: inside - 35 sq. ft. per child; outside - 75 sq. ft. per child.
-Large Family Day Care Homes:
  -Staff ratio is 1:6
  -Licensing fee is $10.

Training and Orientation

-FDCH: 6 hours of training and first aid and CPR certification when initially licensed required.
-LFDCH: 40 clock hours of training. 3 years experience in group care homes or as a licensed day care provider or 2 years college education plus one year experience in group care homes or certification as a Child Development Associate (CDA) or 40 clock hours of training and 2 years experience as a licensed day care provider and 2 years experience on a group day care home.
-Orientation for prospective providers not required but usually occurs.

Provider Qualifications

-Provider must be at least 18 years old.
-Initial physical exam followed by biennial exams required of provider and family members in day care home.
-Three written references required.
-Name of provider and persons living in home are screened with the child abuse registry.
-Criminal record check required of provider and any member of provider's family or employee in the FDCH that is 16 years of age or older.
-If provider (or employee or family member) has lived in the state less than two years, then FBI criminal records check required.

Discipline

-Corporal punishment prohibited; discipline must be constructive or educational.

Zoning

-FDCH and LFDCH must comply with local ordinances; may include special use permit and/or fee.

Sick Child Care Regulations

-None. Sick child care is currently not allowed in group care situations.

National Life Safety Fire Code

-Large Family Day Care Homes (6-12 children) must have a local fire inspection. Fire Departments in Colorado generally use the National Life Safety Fire Code.

Local Contact

-County Department of Social Services.

Pending Legislation

-State is in process of changing the fees from $10 to $15, cost to change after September, 1990.

-Rules passed to allow for fines for unregulated care and licensing violations, this rule is now in committee and being developed.

CONNECTICUT

Information
Supplied By: Richard Charnick
Department of Human Resources - Day Care
1049 Asylum Avenue
Hartford, CT 06105-2431
(203) 566-3800

6,000 regulated family day care homes and an estimated 81 regulated large family day care homes statewide.

Regulations and Requirements

-Registration required for FDCH; annual fee is $10 which goes to state general fund.
-Registration renewed annually through provider self-declaring compliance with all regulations and reapplication.
-Staff/child ratio is 1:6 including family members not in school full-time; maximum of 2 infants per provider. May have total of 6 infants, including provider's own, if an approved assistant (must meet Agency qualifications) is present at all times.
-In addition to 6 full-time children, may have up to 3 part-time, before and after school.
-Liability insurance not required.
-Substitute caregivers must pass screenings similar to providers.
-Day care homes are inspected before registration; subsequent unannounced monitoring visits.
-Investigation and inspection made in response to all complaints.
-Space requirements: none.
-**Large Family Day Care Homes:**
  -Regulated by Department of Health.
  -7-12 children; maximum of 2 infants to one caregiver.
  -Space Requirements: 35 square feet inside per child; 75 square feet outside per child.

Training and Orientation

-No training or orientation for FDC providers.
-LFDCH providers required by Dept. of Health to attend training; must show evidence of continuing education - minimum of one staff development activity per year.

Provider Qualifications

-Providers must be at least 20 years old.
-Initial and biennial physical exams required of provider; family members must have initial exams.
-References required.
-Protective services records checked for provider and household members.
-Criminal record check with state police required of provider and household members at no cost to provider.

Discipline

-Corporal punishment prohibited.

Zoning
-LFDCH must comply with local ordinances.
-FDCH are considered legitimate uses of residential property and are therefore exempt from zoning codes.

Sick Child Care Regulations
-No regulations.

National Life Safety Code
-Not adopted.

Local Contact
-District Office of the Connecticut Department of Human Resources.

Pending Legislation
-Adopted legislation stating that no zoning regulations shall treat legally registered FDCH any differently than a single or multi-family dwelling.
-Pending legislation for:
-A bill requiring day care children to be immunized.
-A bill requiring family day care home providers living in rental property to obtain their landlord's approval before becoming registered.
-A bill to develop training for family day care providers.
-A bill transferring the registration of family day care homes to the Dept. of Health Services.

DELAWARE

Information
Supplied By: Pauline D. Koch
Administrator, Office of Child Care Licensing
Division of Program Support
Dept. of Services for Children, Youth, and Their Families
The Delaware Youth & Family Center
1825 Faulkland Road
Wilmington, DE 19805
(302) 633-2670 Division of Program Support;
(302) 633-2700 Office of Child Care Licensing

1,705 regulated family day care homes and 24 regulated large family day care homes statewide.

Regulations and Requirements

-FDC providers must complete self-certification process.
-Certification renewed annually.
-Provider/child ratio is 1:6, including family members under school age; maximum of 4 children under 2 years of age.
-Liability insurance not required for FDCH.
-FDCH parents must be given copy of family day care regulations and have free access to children at all times.
-Children can be released only to persons authorized by parent(s) who has placed the child(ren) in care.
-Substitute caregiver required and her/his name, address, and phone number must be on file in provider's home; substitute does not have to be certified.
-Initial, announced inspection of day care home occurs within 90 days of certification; 20% sample of unannounced annual visits to be reinstituted as caseload size and priorities permit.
-Providers allowed to care for additional 2 children over capacity for up to 2 hours/day due to change in shifts or school age care.
-**Large Family Day Care Homes:**
  -Known as Group Day Care Homes.
  -Ratio: 7-11 children permitted with 2 providers.
  -Liability insurance required.

Training and Orientation

-Six hours of orientation/training required for prospective family day care providers.
-Orientation/training curriculum includes: licensure process; review of requirements focusing on caregiver responsibilities, staff-child ratios, health and safety, equipment, program, discipline, food and nutrition, child health, infection control procedures, communicable disease; Business practices; Child development; Equipment and Activities; Provider community support systems. The training is based heavily on a Family Day Care Handbook developed by the University of Delaware for the Department which providers may purchase for a small fee.
-LFDC (or group home) providers participate in orientation/training with child care center providers.

Provider Qualifications

-FDCH provider must be at least 18 years old.
-Initial physical exam required of provider, family members who have direct contact with children, and children under 6 years of age living in the house.
-Subsequent exams required only if provider, family member has ongoing health problem.
-Child abuse registry check done on potential provider before certification; she/he required to list any criminal offenses he/she has committed as well as those committed by family members.
-Three written references required.

Discipline

-Corporal punishment prohibited; positive reinforcement is encouraged as method of child management.

Zoning

-Family day care homes exempt from zoning regulations in most cases; in few areas, special permit and fee required.

Sick Child Care Regulations

-Separate regulations for day care centers and FDCH exist specifically for sick children.
-In FDCH when a communicable disease occurs, the parent of an exposed child will be notified so that she/he may observe the child.
-In FDCH any child with a fever over 101 F sustained for over 48 hours, vomiting, unexplained rash, and/or severe diarrhea will be excluded.

National Life Safety Fire Code

-Not adopted.

Local Contact

-Either the Wilmington Office of Child Care Licensing or the Dover Office of Child Care Licensing (both in the Department of Services for Children, Youth and Their Families).

Pending Legislation

-None.

DISTRICT OF COLUMBIA

Information
Supplied By: Angela Hayes, Program Manager
Department of Consumer and Regulatory Affairs
Service Facility Regulation Administration
614 H Street, N.W., Room 1031
Washington, D.C. 20001
(202) 727-7226

290 regulated family day care homes district-wide.

Regulations and Requirements
-Licensing required for FDC providers; no fee.
-Provider/child ratio is 1:5, provider/infant ratio is 1:2.
-Maximum of 5 children may be cared for including family members under age 6.
-Liability insurance not required.
-Substitute caregiver system required prior to licensing; substitute must meet same requirements as primary provider.
-Providers must have policy statement which addresses their rules for operating.
-An approved fire drill plan is required.
-Inspections of homes required before licensing; subsequent visits conducted annually - unannounced.
-Space requirements: A minimum of 35 square feet per child inside FDCH.
-No provisions for LFDCH.

Training and Orientation
-Emergency first aid training required.
-Orientation recommended for potential providers.
-Orientation includes information on licensing regulations in DC.
-Orientation offered the first Thursday of each month at 614 H Street, NW, Room 309 at 10:00 am.

Provider Qualifications
-FDC provider must be between 18 and 71 years of age.
-Initial physical exam required of provider; annual exams required of provider and adults in home when children are present.
-Three written references required.

Discipline
-Corporal punishment not addressed in current regulations, but prohibition is proposed in pending revision.

Zoning
-No zoning requirements.

Sick Child Care Regulations
-Current regulations do not make provisions for sick child care.

National Life Safety Fire Code
-Not adopted.

Local Contact

-Dept. of Consumer & Regulatory Affairs, Service Facility Regulation Administration, Social Service Facility Division.

Pending Legislation

-Pending legislation on general rules and regulations:

-Fee for licensing will be required.

-Annual exams every 3 years will be required of provider and adults in home when children are present.

FLORIDA

Information
Supplied By: Pamela Hutchinson
Department of Health and Rehabilitative Services
Children, Youth and Families Program Office
1317 Winewood Boulevard
Building 7, Room 206
Tallahassee, FL 32399-0700
(904) 488-4900

3,623 licensed family day care homes, approximately 3,862 registered family day care homes.

Regulations and Requirements
-Licensed FDCH may have up to 5 preschool children with one provider; additional before and after school children allowed as long as total number of children in home does not exceed 10, or 7 school-aged with no preschoolers.
-Licensing is required for those who wish to participate in child food programs and/or subsidized child care.
-Provider/child ratio 1:5.
-No distinction between FDCH and LFDCH (all are considered FDCH).
-Homes not required to be licensed must register with Dept. of Health and Rehabilitative Services; these homes are not regulated or monitored but must complete a criminal background and screening clearance plus 3 hours training.
-Homes are inspected before licensing and semi-annually.
-Licenses are renewed annually and require an on-site inspection for compliance with regulations.
-Liability insurance not required for registered or licensed homes.

Training and Orientation
-Basic 3-hour training required for licensed FDCH providers which includes the identification of child abuse and neglect. 30 hours of training is required if the home participates in the subsidized program.

Provider Qualifications
-FDC provider must be at least 18 years old and of good moral character, and must have a TB test.
-Fingerprint check, local and state criminal record check, and abuse registry clearance required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH are expected to comply with local ordinances. However, a license will be issued as licensing law does not require such compliance.

Sick Child Care Regulations
-If child has a communicable illness, child must be isolated, parents called so they can bring child home.

National Life Safety Fire Code
-Is adopted; includes the standards in the LSFC except ratios and square footage.

Local Contact

-For 55 counties, the Dept. of Health and Rehabilitative Services; for 12 counties, the county licensing agency.

Pending Legislation

-Revisions of standards and regulations regarding FDCH are currently in promulgation process.

-A change in the definition of FDCH occurred during the 1990 legislature.

-Child Care Partnership Act which assists corporations in providing day care to their employees and will involve FDCHs is currently pending.

GEORGIA

Information
Supplied By: Marsha A. Gates
Child Care Licensing Section, Office of Regulatory Services
878 Peachtree Street, N.E., Room 607
Atlanta, GA 30309
(404) 894-5688

5,000 regulated family day care homes statewide.

Regulations and Requirements
-Registration for FDCH caring for more than 2 children required; registration via the mail, no fee.
-Provider may care for maximum of 6 children, not including family members.
-Provider/infant ratio is 1:6.
-Liability insurance not required.
-No initial inspection of day care home required; visits are unannounced; all complaints investigated.
-Space requirements: A minimum of 35 square feet per child inside FDCH; there is no space requirement outside the home.

Training and Orientation
-FDCH: providers must have first aid training.

Provider Qualifications
-Day care provider must be 21 years old.
-Fingerprinting and criminal record check required of provider; family members must also have criminal record check; cost is $23 for provider and $3 for other adults in home.

Discipline
-Corporal punishment prohibited.

Zoning
-Day care homes must comply with local ordinances.

Sick Child Care Regulations
-Via rules and regulations for day care centers, state developing rules and regulations for ill children.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Office of Regulatory Services, Child Care Licensing Section, Department of Human Resources.

Pending Legislation
-None.

HAWAII

Information
Supplied By: Carol Chang
Department of Human Services
P.O. Box 339
Honolulu, HI 96809
(808) 548-2302

312 regulated family day care homes and 4 large family day care homes statewide.

Regulations and Requirements

-Registration required; no fee.
-Provider can have up to 6 children; no more than 2 under 18 months. Excludes provider's children who are: 1) 6 years of age or older or; 2) in school or enrolled in a child care facility for more than 6 hours/day.
-Proposed infant toddler center ratio: 6 weeks to 9 months - 1:3 (group size - 6); 6 months to 18 months - 1:4 (group size - 8); 16 months to 24 months - 1:5 (group size - 10); 24 months to 36 months - 1:8; school age ratio - 1:20.
-Liability insurance not required; providers must inform parents whether it is available or not.
-Homes are inspected before registration; subsequent visits occur annually or whenever there is a complaint. No advance notice of visit is necessary.
-Licenses are renewed annually with recertification forms.
-Space requirements: 35 sq. ft. per child inside; for outdoor space, there shall be in all cases a minimum of 150 sq. ft. and for children 12 months and older, a minimum of 75 sq. ft. per child.
-**Large Family Day Care Homes:**
  -7 or more children with staff ratio of 1:8 for 2 year olds; 1:12 for 3 year olds; 1:16 for 4 year olds; and 1:20 for 5 and older. All children must be over 24 months.
  -Must comply with all center care regulations.

Training and Orientation

-Training is not required; providers encouraged to make an effort to receive training. DHS also has a separate purchase of services contract with PATCH (People Attentive to Children, a non-profit Resource and Referral agency) to provide training to active and potential family child care providers. There is no minimal charge for the training which covers health and safety issues, child development and management, and creating a safe and nurturing environment.
-Orientation for prospective providers is on a one-to-one basis, with the exception of Oahu providers for whom the department has been able to obtain the services of PATCH to provide group orientation on a quarterly basis.

Provider Qualifications

-Provider must be at least 18 years old.
-Providers and all household members must have physical exam and clearance for TB before registration. No subsequent exams required. TB clearance required every 2 years.
-Two written references.
-Criminal record checks and fingerprinting done for provider and all other caregiving persons in the home.
-Child abuse background check is also done.

-Provider's employment history for three years preceding application is checked.

Discipline
-Corporal punishment prohibited.
-Providers cannot use humiliation or any other method which is injurious, frightening or damaging to the child's health or self-esteem.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Regulations
-No separate licensing rules for sick child care.
-Family, Group, and School Age care rules require sick children to be separated.

Special Provisions
-Special training required for providers with disabled children in their care.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Local office of the Department of Human Services.

Pending Legislation
-In the process of adopting: a) infant-toddler center care rules; b) new (updated) group child care center and group child care homes rules; c) child care payment rules (update).

IDAHO

Information
Supplied By: Roseanne Hardin
Department of Health and Welfare - DFACS
450 West State Street
Boise, ID 83720
(208) 334-5700

101 family day care homes, 200 day care group facilities, and 282 day care centers regulated statewide. This does not include any day care group facilities or centers in the five cities (Coeur D'Alene, Boise, Pocatello, Chubbuck, Moscow) in Idaho that have their own day care licensing ordinances.

Regulations and Requirements

-No mandatory licensing requirement for FDCH; providers may choose to voluntarily become licensed, will receive basic day care license.
-3 categories of day care exist - FDCH, LFDCH, and centers. FDCH provide care for 6 or fewer children.
-Provider/child ratio: most restrictive required is 1:12, not determined by age.
-If licensed, renewal every two years upon reapplication.
-If licensed, fire inspection and health inspection are required; upon each renewal, subsequent fire inspections and health inspections are also required.
-Licensing fees: Fire: up to $20; Health: $30; Criminal History Check: $20 per individual plus taking prints when necessary.
-Space requirements: Calculate inside space assigned to day care and divide by occupant load; it must be a factor of 35 sq. ft.; no outside space requirement.
-**Large Family Day Care Homes:**
  -Known as group family day care homes, have from 7 to 12 children.
  -Provider/child ratio is 1:12.
  -Certification required by law.
  -Fire and health inspections required for group homes if licensed.

Training and Orientation

-No training or orientation required.

Provider Qualifications

-FDC provider must be 18 years old.
-Criminal record checks are done for those providers who have not been continuous residents of the county three years prior to application or employment in the day care home.

Discipline

-No provisions for discipline.

Zoning

-FDCH must comply with local ordinances.

Sick Child Care Regulations

-None specific to child care.

National Life Safety Fire Code

-Not adopted on a statewide bases; licensure of homes not required by statute is permissive.

Local Contact

-Coeur D'Alene, Boise, Pocatello, Chubbuck, Moscow have own licensing ordinances where state is not involved (contact city clerk offices). Otherwise, contact Idaho Dept. of Health and Welfare Regional Offices.

Pending Legislation

-None.

ILLINOIS

Information
Supplied By: Patricia Bennett
Chief - Office of Licensing
Dept. of Children and Family Services
406 East Monroe Street
Springfield, IL 62701-1498
(217) 785-2688

6,672 regulated family day care homes statewide.

Regulations and Requirements
-FDC providers required to be licensed if caring for more than 3 children; no licensing fee.
-Licenses renewed every 2 years.
-Provider/child ratio is 1:8 with no more than 3 under age 2.
-With more than 3 under age 2, assistant required.
-Liability insurance not required.
-Substitute caregiver required before license granted; substitutes do not have to be licensed.
-Inspections of home prior to licensing and annually thereafter (subsequent visits may be unannounced).
-No space requirements.
-LFDCH licensing regulations in effect.

Training and Orientation
-No training or orientation required.

Provider Qualifications
-FDC provider must be 18 years old.
-Initial and biennial physical exams required of provider and provider's family.
-Three written or oral references required.
-Child Abuse Registry check required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Regulations
-Group care prohibited by public health regulations when communicable diseases are present, otherwise at discretion of caregiver.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Regional Offices of the Illinois Department of Children and Family Services.

Pending Legislation
-Pending legislation to increase capacity in day care homes from 8 children up to 12 children.

INDIANA

Information
Supplied By: Keith Carver
Supervisor, Day Care Licensing Unit
Indiana Department of Public Welfare
402 W. Washington St., Room W-364
Indianapolis, IN 46204
(317) 232-4442

1,907 licensed day care homes statewide.

Regulations and Requirements
-FDC providers required to be licensed if they care for 6 or more children; no fee.
-Licenses renewed annually; providers re-submit application and criminal history affidavit and an updated home study and inspection are done.
-Maximum of 10 full-time children permitted under age 11; an additional 5 part-time children may also be cared for (less than 4 hours/day).
-Additional child care provider is required when more than 6 children are present.
-FDCH must be inspected prior to licensing; subsequent visits annually and can be unannounced.
-Liability insurance not required.
-Space requirements: 35 sq. ft. inside per child, 50 sq. ft. outside per child.

Training and Orientation
-No training or orientation required.

Provider Qualifications
-Provider must be at least 18 years old.
-Three written references required.
-Law includes provision for conducting criminal record checks, but it is not mandatory; cost is $7.
-Each provider required to submit signed, notarized criminal history affidavit attesting that she has never been arrested for or convicted of child abuse/neglect or any of the 10 sexual offenses (stated in Indiana Code).

Discipline
-Corporal punishment is permitted in FDCH.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Regulations
-If a child becomes ill during the day, the child shall be isolated from the others.

National Life Safety Fire Code
-Not adopted.

Local Contact
-The County Dept. of Public Welfare in the county in which they live.

Pending Legislation

-New Day Care Home regulations for Indiana are in the promulgation procedure and are scheduled for public hearing in late July 1991 for January 1, 1992 effective date.

IOWA

Information
Supplied By: Barbara Bosch
Iowa Department of Human Services
Hoover State Office Bldg. - 5th Floor
Des Moines, IA 50319
(515) 281-6074

3,068 regulated family day care homes and 1,273 regulated group day care homes statewide.

Regulations and Requirements

-Registration for FDCH is on voluntary basis; no fee.
-Staff ratio is 1:6 including provider's preschool children.
-Never more than 4 children under 2 years of age at any time.
-Provider may care for more than 6 but less than 12 children at any one time for less than 2 hours, but cannot unless home does not provide care at any one time for more than 6 children who are not attending school full time; 5 school-age children allowed in addition for less than 2 hours at a time. Provider's child is also counted if the child is not going to school full time.
-No home inspection required before registration; 20% of FDCH are spot checked each year.
-Registration certificates renewed annually through local (county) office of the Department of Human Services.
-Group Day Care Homes:
  -Required to be registered.
  -Must have second staff person if 7 or more children are present for 2 or more hours at a time.
  -Allowed to have 7-11 children - never more than 4 under 2 years old; never more than 6 not in school full time.
  -Must meet certain safety requirements and have quiet area for sick child.
  -Registration certificates are renewed annually through reapplication.

Training and Orientation

-Providers must have 2 hours of training every 5 years in child abuse identification and reporting.

Provider Qualifications

-Provider must be at least 18 years old.
-Must have physician's signed statement, obtained at first registration and at least every 3 years thereafter, on all members of provider's household, stating that all members of household are free from disease or disabilities that would prevent good child care.
-Criminal record check done on provider and family members.
-Child abuse registry check done on provider and family members.

Discipline

-No discipline shall be used that is physically or emotionally harmful to a child.

Zoning

-Zoning requirements not part of registration requirements.

Sick Child Care Regulations
-The group day care home shall provide a separate quiet area for sick children.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Local office of the Iowa Dept. of Human Services.

Pending Legislation
-None.

KANSAS

Information
Supplied By: Chritine Ross
Department of Health and Environment
900 S.W. Jackson, Landon State Office Bldg.
Topeka, KS 66612-1290
(913) 296-1272

4,023 registered family day care homes; 3,633 licensed family day care homes and 373 regulated large family day care homes statewide.

Regulations and Requirements

-Providers caring for 6 or fewer children must be registered; annual fee is $5.
-Providers caring for 7-12 children must be licensed; annual fee is $15.
-Number of caregivers per group of children is 1 or 2 based on age groupings of children.
-Licenses are reviewed annually based on date of previous license expiration.
-Parents allowed total access to their children in the FDCH's.
-DCH's are inspected before licensing; those providers that are only registering do not have to be inspected.
-If second floors are used in day care home, they must have fire safety approval.
-There are subsequent annual visits to homes for inspection.
-Space requirements: for licensed homes - 25 sq. ft. of available indoor playspace per child for day care homes serving 7 to 12 children. No outdoor space requirements.
-**Large Family Day Care Homes:**
  -LFDC provider may care for 10-12 children; 2 adults may be required.
  -Provider must be licensed; annual fee is $15 and license is reviewed annually.

Training and Orientation

-FDCH: as of February 26, 1990, training is required. However, this does not apply to registered family day care homes. Providers must submit documentation within 60 days that one of the following requirements has been met: 1) five sessions of observations, not less than 2 1/2 hours per observation, 2) a child development associate credential (CDA), 3) 15 hrs of directed readings, videotapes, etc. 4) employment for not less than three months in a licensed FDCH, LFDCH, or child care center which had been in operation for three or more years.
-LFDCH: Within 60 days following the initial application for license or employment, one of the following must be met: 1) six months of supervised employment in licensed facilities with children the same age as enrolled in LFDCH, 2) 10 hours directed reading and 5 sessions of observations, not less than 2 1/2 hours per observation, 3) CDA, 4) minimum three semester hours of academic credit or equivalent training in child development, early childhood education, and curriculum resources, and supervised observation in high school or college or three months experience with children of the same age as enrolled in LFDCH, or 5) requirements for program director of child care center as regulated by rules and regulations.
-Prior to relicensure, provider in FDCH or LFDCH shall provide documentation of 1) 5 clock hours of in-service training, or 2) five hours of directed reading, or 3) current accreditation by the National Association for Family Day Care (NAFDC).

Provider Qualifications
-Provider must be at least 18 years old.
-Initial physical exam required before provider can begin operating.
-Criminal record check (no fingerprinting) and Child Abuse Registry check done on provider and provider's family members 10 years of age and older. No fee for the check.

Discipline
-Corporal punishment prohibited.

Zoning
-Must comply with local ordinances/not state regulation.

Sick Child Care Regulations
-Regulated by quarantine requirements of the Department.

National Life Safety Fire Code
-Is adopted.

Local Contact
-County Health Departments.

Pending Legislation
-Regulations were filed as of 2/26/90 for day care homes/group day care homes, and amended general regulations for all providers (including residential) regarding diapering procedures, additional nutritional requirements, and prohibition of corporal punishment.

KENTUCKY

Information
Supplied By: Bess Howard
Human Services Program Specialist
Division of Licensing and Regulations
Cabinet for Human Resources
275 East Main Street
CHR Bldg. - 4th Floor East
Frankfort, KY 40621
(502) 564-2800

200 regulated family day care homes.

Regulations and Requirements

-Registration voluntary for small FDCH for less than 4 children; this size FDCH not subject to licensing; program administered by Dept. of Social Services in the Cabinet of Human Resources.
-Licensing required for FDCH providing care for 4 or more children; initial licensing fee is $80 for a new Type I; $40 for a new Type II.
-Licenses renewed annually; renewal fee is $40 for Type I & II.
-Relicensure involves submission of an application by the provider and an on-site inspection by the licensing agency.
-Kentucky divides day care facilities into two types - Type I and Type II; FDC comes under the Type II description.
-Type II homes may provide care for 4-12 children, including provider's own children.
-The age of the youngest child in care determines how many children may be in the home and stay within bounds of provider/child ratios.
-With 1 child 2 years old or younger, no more than 6 children may be cared for; if youngest child is between 2 and 3 years old, no more than 10 children may be cared for.
-When more than 10 children are cared for, an assistant is required.
-Liability insurance required prior to licensing.
-Minimum of 2 substitute caregivers required.
-FDCH inspected before licensing; subsequent visits occur during annual renewal and on occasion of complaints.
-Space requirements: 35 sq. ft. per child inside-exclusive of kitchen, bathroom, and storage areas. If a facility does not have an outdoor play area, the indoor space to be used as a play area must be a minimum of 60 sq. ft. per child using the area at any one time separate and in addition to the 35 sq. ft. minimum as described previously. The area must include gross motor equipment and be well ventilated and heated. The outdoor space shall be adequate enough for the particular number of children who are outdoors at the time.

Training and Orientation

-As of February 1988, new regulations require 6 contact hours of early childhood development training annually for directors and staff.

Provider Qualifications

-FDC provider must be 21 years old.
-TB tests required of provider, assistants, and all adults residing in home.
-Criminal record checks and fingerprinting required.

-Master's degree in Early Childhood Education/Development, no experience required; or
-Bachelor's degree in Early Childhood Education/Development, no experience required; or
-Master's degree or a Bachelor's degree in any field other than Early Childhood Education/Development, plus two years full-time paid experience in working with young children in a group; or
-Master's degree or a Bachelor's degree in any field other than Early Childhood Education/Development, plus twelve hours of child development training; or
-Child Development Associate (CDA), plus twelve hours of child development training; or
-Associate of Arts degree, plus twelve hours of child development training; or
-Competency-based vocational training in Early Childhood Education, plus twelve hours of child development training; or
-General Equivalency Diploma (GED) or a high school diploma, plus twelve hours of child development training.
-The twelve hours of child development training must be completed within the first six months of operation while the facility operates on a provisional license. All training shall have prior approval of the Cabinet.

Discipline
-Corporal punishment prohibited.
-Discipline methods must be in writing and adhere to FDC regulations.
-A positive approach to discipline must be used.

Zoning
-FDCH must comply with local ordinances; zoning ordinances must be met as a prerequisite to licensure.

Sick Child Care Regulations
-Sick child is prohibited from staying in day care while sick.

National Life Safety Fire Code
-Not adopted; the federal Fire Safety Code is enforced by the State Fire Marshal's Office.

Local Contact
-Regional office of the Cabinet for Human Resources, Div. of Licensing and Regulations (for day care), Local office of the Dept. of Social Services (for voluntary registration).

Pending Legislation
-Education Reform Act of 1990 created two new pre-school programs in state educational system.
-Day care regulations are currently being revised.

LOUISIANA**

Information
Supplied By: Steve Phillips
Quality Assurance - Department of Social Services
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Baton Rouge, LA 70821
(504) 342-4137

5,400 regulated family day care homes statewide.

Regulations and Requirements
-Alternate Approval required for FDC providers; annual fee of $55. No licensing if caring for 6 children or less.
-All Approved providers participate in the Child Care Food Program.
-Provider/child ratio is 1:6; provider/infant ratio is 1:2.
-In accordance with CCFP regulations, homes are inspected prior to registration; annual registration renewal visits and other unannounced visits are conducted.
-Providers caring for more than 6 children are considered to be running a center and must be licensed.
-Space requirements: 35 sq. ft. per child (area used by the children) inside facility only.
-No provisions for LFDCH.

Training and Orientation
-Prospective providers must participate in orientation.
-Providers required to receive instruction in recordkeeping.
-Training required through sponsoring agencies. There are approximately 45 nonprofit sponsoring agencies that have contracted with the state to train providers. State trains these agencies who in turn train the providers; state monitors the implementation of training program.

Provider Qualifications
-Provider must be at least 18 years old; sponsoring agencies will determine the individual's capability to provide for children under his/her care.

Discipline
-Meal service may not be used as a means of discipline.
-Providers must comply with state child abuse and neglect laws.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Legislation
-No regulations specific to sick child care.

Local Contact
-Local offices of day care sponsors.

Pending Legislation
-State is in the process of transitioning to registration as mode of regulation; standards for registration have yet to be developed.

**Information unverified by press date.

MAINE

Information
Supplied By: James R. Floyd
Bureau of Child And Family Services
Child Care Licensing Unit
State House Station 11
Augusta, ME 04333
(207) 289-5060

2,100 regulated family day care homes statewide (approximately 850 are licensed for 7-12 children).

Regulations and Requirements

-Provider caring for 3 or more unrelated children must be licensed or registered; provider has the choice.
-Licenses renewed annually; $10 fee, offsets fire inspection costs.
-Registered providers pay $20 fee every 2 years.
-Homes inspected before licensing; annual announced inspections follow initial inspection; also inspected by the fire marshal to verify compliance to rules.
-Single provider may care for:
  -4 children under 2, or
  -8 children over 2, plus 2 school age children, or
  -6 children, with maximum of 3 under 2, plus 2 school age.
-Two providers may care for:
  -8 children under 2, or
  -12 children over 2, or
  -12 children, maximum of 6 under age 2.
-Three providers may care for:
  -12 children under 2, or
  -12 children over 2, or
  -12 children, maximum of 9 under age 2.
-Space requirements: 35 sq. ft. per child inside the facility, excluding kitchens, hallways, etc.; no outside requirement other than adequate.

Training and Orientation

-No training or orientation required presently, but programs are being developed by 10 resource and referral centers.

Provider Qualifications

-Provider must be at least 18 years old.
-Licensed providers must have initial physical exam and TB test; subsequent physicals every 3 years.
-Family members must have physicals if they help in caregiving.
-Registered providers required to have TB test only.
-Licensed providers required to have 3 written references.
-Criminal record check and Child Protective Services check done.

Discipline

-Corporal punishment prohibited.

Zoning

-FDCH must comply with local ordinances.

Sick Child Care Regulations
-None specific to sick children in day care.

National Life Safety Fire Code
-The State Fire Marshals who do the inspections use the Code.

Local Contact
-Dept. of Human Services at the state level.

Pending Legislation
-Local communities throughout the state are dealing with zoning issues.
-Regulations are currently being updated.

MARYLAND

Information
Supplied By: Barbara Smith-Hamer, Director
Child Care Administration
2701 North Charles Street
Baltimore, MD 21218
(301) 554-0400

10,556 regulated family day care homes statewide.

Regulations and Requirements
-Registration required for FDC providers; no fee.
-Registration renewed every 2 years.
-FDC providers may have maximum of 8 children with no more than 2 children under age 2. If a second adult is present to assist in caring for children, 4 children under 2 may be enrolled. The Child Care Administration may limit the number of children cared for based on several factors including the number and ages of the provider's own children.
-Inspection visits are required prior to registration, and at the time of renewal which occurs every 2 years. Following registration, a home is visited at least once during a two year period. Visits are also made in response to complaints. Visits may be unannounced.
-Liability insurance is required if the provider's home is located in an area covered by a Homeowner's or Condominium Association.
-Providers are required to give parents of children enrolled in their homes copies of a consumer education pamphlet on family day care.

Training and Orientation
-Attendance at an orientation session is required to learn about regulations and to receive an application.
-Training is required.

Provider Qualifications
-FDC provider must be 18 years old.
-Physical exam required of provider and all household members.
-Three written references required.
-Criminal record check and Child Abuse Registry check required of provider and family members over age 18.

Discipline
-Regulations stipulate that a child may not be subjected to injurious treatment.

Zoning
-Day care homes must comply with local ordinances. Recent legislation prohibits family child care homes from being construed as small businesses.

Sick Child Care Regulations
-No FDC regulations for sick child care. Regulations stipulate that children who are acutely ill may not be admitted to care.

National Life Safety Fire Code

-The state fire marshal and the local fire departments have adopted the National Life Safety Fire Code for their inspections of family day care homes. The Child Care Administration's regulations governing family day care require that applicants must pass the fire department inspection prior to registration.

Local Contact

-Local office of Child Care Administration.

Pending Legislation

-SB 495 Established an amnesty period that allows unregistered family day care providers to remain in operation while becoming registered.

-HB 495 Increased the maximum number of children, under the age of two years, that a family day care provider may care for from 2 to 4, if an additional adult is present in the home to assist in the care of children.

-HB 85 Permits the Department of Human Resources to apply to a judge for an administrative search warrant to enter any unregistered family day care home (or unlicensed center) to conduct an inspection.

MASSACHUSETTS

Information
Supplied By: Martha J. Roberts
Day Care Director
Office for Children
10 West Street, 5th Floor
Boston, MA 02111
(617) 727-8900

13,202 regulated family day care homes statewide.

Regulations and Requirements

-Registration required for FDC providers; $50 fee for initial registration, plus $100 for each renewal every 3 years; up to $950,000 is Agency Retained Revenue to be used for licensing personnel.
-Providers may care for maximum of 6 children including family members; provider/infant ratio is 1:2.
-Liability insurance not required.
-Inspection of FDCH prior to or within 6 months of registration; subsequent visits made annually - unannounced.
-Space requirements: Indoor - 150 sq. ft. for care of 1 or 2 children, 225 sq. ft. for care of 3-6 children; outdoor - 75 sq. ft. per child.
-LFDCH: Provisions approved; implementation pending funding of pilot program.

Training and Orientation

-No training or orientation required.
-Voluntary training by community does exist.

Provider Qualifications

-FDC provider must be 18 years old.
-Provider and provider's family members must have physical exam within 3 years of registration.
-Two written references required.
-Employer references may be required if person applying for registration has been employed outside home within 5 years prior to application.
-Criminal record checks done on provider, all family members age 17 and over, persons regularly on premises, and approved assistant.

Discipline

-Corporal punishment prohibited.

Zoning

-New law just passed that amends state's Zoning Act; law says that use of residence as a registered FDCH is permitted under local zoning laws except where the city or town expressly acts to regulate or prohibit FDCH. Since most local zoning laws do not address FDCH, amendment changes presumption that the use of a home as a FDCH is illegal to new presumption that it is a legal use.
-The City of Boston recently passed a zoning amendment which allows FDCH to be an accessory use in a private residence.

Sick Child Care Regulations

-Sick child care is being addressed in revised regulations.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Local Office for Children.

Pending Legislation
-Regulatory changes of requiring smoke detectors in family day care homes recently passed.

MICHIGAN

Information
Supplied By: Ted de Wolf, Director
Michigan Dept. of Social Services
Division of Child Day Care Licensing
235 South Grand Avenue, Suite 1212
Lansing, MI 48909
(517) 373-8300

13,500 regulated family day care homes and 1500 regulated group day care homes statewide.

Regulations and Requirements

-FDC providers may have 1-6 children and are required to be registered; no fee.
-Staff ratio is 1:6, including family members under 7 years old; no more than 4 children under 30 months and no more than 2 of those children can be under 18 months.
-Certificates of registration renewed every three years via the mail.
-Liability insurance not required.
-Substitute caregiver required for emergencies.
-FDCH inspected within 90 days of receiving certification; 10% random sampling of homes annually; visits usually scheduled. Division may not return unless complaint warrants unannounced visit; renewed every three years based on self-certification.
-Space requirements: 35 sq. ft. indoors; 400 sq. ft. for FDCH and LFDCH outdoors.
-**Large Group Care Homes:**
  -May serve 7-12 children known as Group Day Care Homes.
  -Provider/child ratio - 1:6.
  -Must be licensed with renewal every 2 years following on-site visit.
  -Special requirements include fire safety provisions for child occupancy above 2nd floor; emergency alarm and procedures; nighttime care, and fire extinguishers.

Training and Orientation

-FDC providers must complete within 3 years of registration first aid training and child cardiopulmonary resuscitation.
-Group DC providers must complete within 2 years of being licensed 20 clock hours of training related to care of children, including first aid, CPR, and 8 hours of child development.
-Orientation required for FDC providers.

Provider Qualifications

-Provider must be at least 18 years old.
-Signed statement by licensed physician required before provider can give child care and then every three years; statement must refer to provider's mental and physical capacity in handling children.
-Provider and family members over 14 must have TB test.
-Three written references required.
-Criminal record check required (no fingerprinting) for provider and family members over 18.
-Child Abuse Central Registry also reviewed.

Discipline
-Corporal punishment including spanking prohibited.

Zoning
-FDCH and GDCH are expected to comply with local ordinances. However, a license or certificate of registration will be issued as licensing law does not require such compliance.

Sick Child Care Regulations
-In FDCH and GDCH, no complete prohibition against sick children unlike day care centers.
-Isolate the child, if necessary.
-Report to parent immediately re: sickness.
-Written permission from parent required for administering medication.

National Life Safety Fire Code
-Not adopted.

Local Contact
-The Dept. of Social Services office in the county in which one lives.

Pending Legislation
-Legislation introduced for collection of fees to be used to add to licensing staff.

MINNESOTA

Information
Supplied By: Director
Licensing Division
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3842
(612) 296-3971

13,[illegible]6 regulated family day care homes statewide (approximately 75% of these are licensed for 10, 12, or 14 children).

Regulations and Requirements

-FDC providers required to be licensed; no fee.
-Licenses are renewed annually through reapplication procedure.
-Staff ratios are: 1:5, maximum of 3 infants; 1:6, maximum of 2 infants; 1:10, no more than total of 3 may be infants and toddlers with maximum of 2 infants, and at least 4 must be school-age. (Infants defined by MN as 12 months and under, toddlers as 12-30 months.)
-Ratios include provider's own children 10 years of age and under.
-Liability insurance strongly encouraged; if provider has insurance less than $100,000/person and $250,000/occurrence, or no insurance, written notice of level of coverage must be given to and signed by parents of each child in day care home.
-Substitute caregivers restricted to 30 days per 12 month period.
-Day care homes inspected prior to licensing; subsequent visits at annual relicensing-advance notice given.
-Space requirements: Inside - 35 sq. ft. per child; outside - 50 sq. ft. per child.
-**Large Family Day Care Homes:**
  -May care for 10, 12, or 14 children.
  -Must adhere to following staff ratios:
    10 children: maximum of 3 infants and toddlers--only 2 may be infants; 2 must be school age; one provider.
    12 children: maximum of 2 infants and toddlers--only 1 may be an infant; 2 must be school age; one provider.
    14 children: maximum of 4 infants and toddlers--only 3 may infants; 2 must be school age; two providers.

Training and Orientation

-No training required before license granted; provider must have 9 hours of CPR within 1 year of or 1 year prior to licensing, in addition to 6 hours of child development.
-LFDC providers must meet one of three separate qualification requirements to begin LFDCH care; the first option is a minimum of 1 year's experience as a licensed FDC provider and the other two options are combinations of experience as a provider, teaching assistant, nurse, etc. coupled with specified hours of training or child development education.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Provider and all adult caregivers assisting with care must have physical exam within 12 months of licensing.
-Criminal record checks required; fee varies and some counties will pay fee.

Discipline
-Corporal punishment prohibited.

Zoning
-1990 Legislature made FDC for 14 or less children a permitted single-family residential use.

Sick Child Care Regulations
-No specific regulations for child care in family day care homes. A provider can decide for herself if she will accept a sick child into her home.

National Life Safety Fire Code
-Not adopted.

Local Contact
-County Department of Social Services for family day care homes.

Pending Legislation
-None.

MISSISSIPPI

Information
Supplied By: Diane Herring, Director
MS State Dept. of Health
Division of Child Care
P.O. Box 1700
Jackson, MS 39215-1700
(601) 987-4153

Data on number of regulated family day care homes unavailable. There are currently 50 regulated LFDCH.

Regulations and Requirements
-Licensing required for homes with 6 or more children; voluntary registration effective 9-1-91.
-Annual registration fee of $25, up to $100 depending on the number of children licensed for; for FDCH with less than 6, annual renewal fee of $5 required.
-Liability insurance not required.
-License renewal is annual upon completion of inspections and submission of renewal fee.
-Inspections occur before license is issued and at least twice a year thereafter.
-Space requirements: 35 sq. ft. of usable space per child inside; 70 sq. ft. of fenced area per child outside.
-**Large Family Day Care Homes:**
  -Allows up to 15 children.
  -No specific regulations.
  -Infant ratio 1:5.

Training and Orientation
-No training or orientation required.

Provider Qualifications
-Provider must be at least 21 years old.
-No physical exam or TB test required. Health statement required before licensing.
-Sex offense and child abuse registry checks required.
-Criminal record checked for crime against persons, drugs, child abuse, sex offense, or any other offense which is found to be related to the job of a day care provider.
-Provider or anyone else in the FDCH who lives there or spends a significant amount of time at the day care home when the children are there cannot be carrying an infectious disease.
-Provider cannot be a disabled person found to need a guardian or conservator, or both.

Discipline
-Corporal punishment, including spanking is prohibited.

Zoning
-Must comply with local zoning ordinances.

Sick Child Care Regulations

-Any child with a serious contagious disease must be reported immediately to the local health department officer.

-Day care provider may exclude, isolate, or group together sick child(ren) based on level of sickness and contagiousness, must call parent and request them to pick up their sick child(ren).

National Life Safety Code

-Self-evaluation by operator incorporates Life Safety Code requirements.

Local Contact

-Health Dept. for Licensure, Welfare for Slot Purchase Funding, Education (State Office) for USDA Assistance.

Pending Legislation

-Recently passed legislation revising rules and regulations for child care during the 1990 session.

MISSOURI

Information
Supplied By: Mary Moberly
Child Care Licensing Unit
Division of Family Services
P.O. Box 88
Jefferson City, MO 65103
(314) 751-2678

2,336 regulated family day care homes.

Regulations and Requirements
-Licensing required; renewed biennially.
-Provider may care for maximum of 10 children; providers may obtain a flexible license; ages of children determine necessity of assistant.
-Staff/infant ratio is 1:4.
-Liability insurance is not required.
-Parents required to sign statement indicating that they have seen a copy of the licensing rules.
-Substitute caregiver required before license is given.
-Inspections occur before license is granted; 3 supervisory visits and a renewal inspection required during licensure period. More visits conducted if necessary.
-Space requirements: 35 sq. ft. indoors; 75 sq. ft. outdoors.

Training and Orientation
-None required at this time.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Physical exams necessary for provider and any family member that resides in the home during day care hours.
-Three written references required.
-No criminal record checks required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Regulations
-Comprehensive proposed rules and regulations for facilities providing care specifically for ill children.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Division of Family Services for the individual county.

Pending Legislation
-None.

MONTANA

Information
Supplied By: Boyce Fowler
Department of Family Services
P.O. Box 8005
Helena, Montana 59604
(406) 444-5900

891 regulated family day care homes and 465 regulated group family day care homes statewide.

Regulations and Requirements
-Homes registered for 1-6 children including family's children who are preschool age; no registration fee.
-Maximum of 4 infants in family home; maximum of 6 infants in group home.
-Registrations renewed annually through reapplication.
-Liability insurance required by law.
-No inspection required before registration; 20% of homes inspected annually.
-Space requirements: 35 sq. ft. inside; 75 sq. ft. outside.
-**Large Family Day Care Homes:**
  -Must be registered.
  -Maximum of 12 children with 2 providers.
  -Provider/child ratio - 1:6.

Training and Orientation
-LFDCH: Providers must attend a basic day care orientation within the first 60 days of certification.
-CPR and first aid training is strongly recommended.

Provider Qualifications
-Provider must be at least 18 years old.
-Three written or oral references required.
-No criminal record checks or fingerprinting required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH and LFDCH exempt from conditional use permit requirements; both are legitimate uses of residential property.

Sick Child Care Regulations
-No regulations.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Department of Family Services Regional Office.

Pending Legislation
-A comprehensive day care bill introduced in the 1989 session was passed.
-Legislation passed in 1991 to continue Resource and Referral agency services.

NEBRASKA

Information
Supplied By: Deb Dawson
Department of Social Services
P.O. Box 95026
Lincoln, NE 68509
(402) 471-9205

2,975 regulated family day care homes and 172 large family day care homes statewide.

Regulations and Requirements

-Self-certification process for FDC providers; fee is $25 and must be renewed every 2 years; money goes to general fund for Dept. of Social Services.
-FDC providers may care for up to 8 children including family members under 8 years old; no more than 2 children may be under 18 months old.
-Provider/child ratio: infants only - maximum of 4; mixed ages - maximum of 8, no more than 2 infants at one time; school age only - maximum of 10.
-For FDC, there is a self-administered home inspection prior to certification; random inspections are made of 5% of homes annually.
-Liability insurance is not required.
-Space requirements: 35 sq. ft. indoors per child; 50 sq. ft. outdoors per child.
-**Large Family Day Care Homes:**
  -Also known as Group Day Care Homes.
  -Provider/child ratio: 9-12 children with 2 providers, or 8 or fewer children if more than 2 of the children are under 18 months old; maximum of 4 infants in mixed age Group Day Care Homes; infants only - 3 caregivers to 12 infants or 2 caregivers to 8 infants.
  -Must be inspected by Fire Marshal, Dept. of Health, and Dept. of Social Services.

Training and Orientation

-FDC providers are not required to have formal training except for CPR/First Aid training.
-LFDC Providers must meet one of following:
  -2 years professional experience;
  -1 year in LFDCH experience;
  -2 credit hours or 20 clock hours in early childhood education.

Provider Qualifications

-FDC provider must be at least 19 years old.
-Physical exam including blood pressure, urinalysis, self-disclosure statement on substance abuse and treatment for mental health problems.
-Three written references required.
-Some cities have permit requirements which includes criminal records check.

Discipline

-Corporal punishment in form of an open hand on the buttocks is allowed in FDCH with written permission from parents.
-Corporal punishment prohibited in LFDCH.

Zoning

-FDCH and LFDCH must comply with local ordinances.

Sick Child Care Regulations
-No separate requirements or regulations.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Local offices of Nebraska Dept. of Social Services.

Pending Legislation
-None.

NEW HAMPSHIRE

Information
Supplied By: Robert Letellier, Chief
Bureau of Child Care, Standards and Licensing
Health and Human Services Building
6 Hazen Drive
Concord, NH 03301-6527
(603) 271-4624

362 regulated family day care homes, 128 regulated large Family Group Day Care Homes statewide.

Regulations and Requirements

-Licensing required; renewed every 3 years.
-In a family day care home, 1 provider may care for any 1 of the following groups of children (includes the provider's own children, foster and resident children up to 10 years of age):
  1) 6 pre-school children and 3 school age children provided that no more than 3 children shall be under 36 months of age of which no more than 2 shall be under 19 months of age.
  2) 5 pre-school children and 3 school age children provided that no more than 4 children shall be under 36 months of age of which no more than 2 children shall be under 24 months of age.
  3) 4 children under 36 months of age.
-Substitute caregiver required.
-All DCH inspected by health and fire departments; inspection by licensing bureau occurs prior to license being granted and 3 times during 3-year license period; at least one inspection/license period is unannounced.
-National Fire Prevention Code needs to be met, regulated by New Hampshire Dept. of Safety, Fire Marshall's Office.
-Space requirements: Inside - 35 sq. ft. per child; outside - 50 sq. ft. per child; however, homes with less than 50 sq. ft. outside per child are acceptable as long as the outside area is at least 1/3 of the required 50 sq. ft. per child and as long as the area of outside sq. ft. per child never falls below, at any time, 50 sq. ft. for every child outside.
-**Large Family Day Care Homes:**
  -2 caregivers with 7-12 children and up to an additional 5 school age children; may have up to 4 children under 3 years of age.
  -Same provider/infant ratios.

Training and Orientation

-First Aid and Child CPR certification is required.
-FDC providers between 18 and 21 years of age must have a child care vocational course approved by the State Dept. of Education.

Provider Qualifications

-FDC provider must be at least 18 years old.
-Physical exams required every 3 years.
-In-state criminal and child abuse record checks required for provider and for anyone in home over 18 years old.

Discipline
-Corporal punishment prohibited as is punishment which is humiliating, shaming, frightening or otherwise damaging to children. Children's behavior supported with positive guidance.

Zoning
-FDCH and LFDCH must comply with local ordinances, some of which have changed in regards to inspections and zoning fees.

Sick Child Care Regulations
-None.

National Life Safety Fire Code
-The State Fire Marshall has adopted the National Code.

Local Contact
-New Hampshire Division of Public Health Service, Child Care Licensing, or call 1-800-852-3345 ext. 4624, or 1-603-271-4624.

Pending Legislation
-Zoning legislation is pending to assure FDCH aren't zoned out.
-Pending legislation to develop a statewide system of child care resource and referral agencies in New Hampshire.

NEW JERSEY

Information
Supplied By: Richard Crane, Acting Chief
Bureau of Licensing
Division of Youth and Family Services
CN 717
Trenton, NJ 08625
(609) 292-1018

3,700 homes have been registered through the new voluntary system.

Regulations and Requirements

-New Jersey has a two-tiered system of regulation: The New Jersey Division of Youth and Family Services (DYFS) inspects, approves and contracts with Family Day Care Sponsoring Organizations; these organizations then inspect, monitor and register FDC providers.
-Each sponsoring organization has a designated geographical area that it is responsible for (one or more counties).
-In addition, there are Family Day Care networks that can be private for profit or non-profit who screen, train and approve family day care homes but do not have the State contract to issue the registration certificate.
-Providers participating in the voluntary registration program must obtain a Certificate of Registration; renewable every 3 years ($25 fee, which is used by sponsoring organizations to support registration programs).
-Provider/child ratio is 1:5 (for a fee); 3 additional children are allowed for no fee; provider/infant ratio is 1:3. (See further explanation below.)
-Inspections are done prior to certification and then once every 2 years, plus 20% random sample inspected annually.
-Providers that do not participate in the voluntary registration program have no regulations or requirements to meet, but do not accrue the benefits of FDC registration, including referrals of consumers through the State Resource and Referral System.
-Liability insurance is not required but most FDC networks make it available to the providers in their network either by paying the premium for the provider or by collecting the premium from the provider and submitting it to the insurance agency.
-New Jersey has no LFDCH but is studying the possibilities.

Training and Orientation

-6 hours of pre-service training before a certificate of registration is issued; topics include child development, discipline, safety, first aid, health, nutrition, program activities, and parent-provider communication.
-2 hours of in-service training provided on a semi-annual basis.

Provider Qualifications

-FDC providers must be 18 years old.
-Medical statement including Mantoux test.
-Two written references required.
-Self-disclosure of criminal convictions of the provider, provider substitute and all members of the provider household over 14 years of age.

Discipline

-Corporal punishment prohibited.

Zoning
-Zoning law deems FDCH's are a home occupation for purposes of municipal zoning.

Sick Child Care Regulations
-No special sick child care regulations for FDC.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Family day care sponsoring organizations, which may be public agencies or private non-profit organizations.

Pending Legislation
-For acquiring materials promoting FDCH and enhanced training for registered FDC providers.
-To establish FDCH as permitted use in residential districts, condominiums, cooperatives and horizontal property regimes.
-Pending zoning legislation would establish FDCH as permitted use in residential districts, condominiums, cooperatives and horizontal property regimes.

Maximum Numbers of Children Permitted in the Home
Without a Provider Assistant

	Infants		Toddlers		Preschoolers		School Agers
Total:	2	and	1	and	0	and	5
	2	and	1	and	1	and	4
	2	and	1	and	2	and	3
	3	and	0	and	0	and	5
	0	and	4	and	0	and	4

	Infants		Toddlers		Preschoolers and School Agers Combined
Total:	0	and	1	and	7
	0	and	2	and	6
	0	and	3	and	5
	0	and	0	and	8
	1	and	0	and	7
	1	and	1	and	6
	1	and	2	and	5
	2	and	0	and	6

Maximum Numbers of Children Permitted in the Home WITH a Provider Assistant

	Infants		Toddlers		Preschoolers		School Agers
Total:	2	and	1	and	3	and	2

	Infants		Toddlers		Preschoolers and School Agers Combined
Total:	1	and	3	and	4
	2	and	2	and	4
	0	and	4	and	4
	0	and	5	and	3
	0	and	6	and	2
	0	and	7	and	1
	0	and	8	and	0

	Infants		Toddlers, Preschoolers, and School Agers Combined
Total:	3	and	5
	4	and	4
	5	and	3
	6	and	2
	7	and	1
	8	and	0

-Infants refers to children under 15 months of age, including children residing in the provider's home.
-Toddlers refers to children aged 15 months to two years, including children residing in the provider's home.
-Preschoolers refers to children aged two to six years, including children residing in the provider's home.
-School Agers refers to children aged six to 14 years, excluding children residing in the provider's home.

Family Day Care Sponsoring Organizations

Atlantic	
Atlantic County Women's Center	(609) 646-6071
Bergen	
Bergen County Office for Children	(201) 646-3694
Burlington or Hunterdon	
Children's Home Society	(609) 695-6274
Camden	
Camden County Division of Children's Services	(609) 968-4260
Cape May or Gloucester	
Family Day Care of Gloucester County, Inc.	(609) 589-0260
Cumberland	
Martin Luther King Academy	(609) 692-6012
Essex	
Programs for Parents	(201) 857-5177
Hudson, Passaic or Sussex	
Passaic County Child Care Coordinating Agency	(201) 684-1904
Mercer	
Child Care Connection, Inc.	(609) 737-3945
Middlesex	
Middlesex County Board of Social Services	(908) 745-3500
Monmouth	
Monmouth County Board of Social Services	(908) 431-6000
Morris	
Children's Services of Morris County	(201) 927-6060
Ocean	
CHS Child Care	(908) 505-1133
Salem	
Educational Information and Resource Center	(609) 582-8282
Somerset	
Child Care Connection, Inc.	(908) 725-2059
Union	
Community Coordinated Child Care of Union County	(908) 353-1621
Warren	
Catholic Charities	(908) 454-2074

NEW MEXICO

Information
Supplied By: Stephen M. Borland, Program Manager
Licensing and Certification Bureau
1190 St. Francis Drive, Runnels Building
P.O. Box 26110
Santa Fe, NM 87502-6110
(505) 827-2411

125 regulated family day care homes and 84 of these are licensed for large family day care statewide.

Regulations and Requirements

-Licensing required for providers caring for 5 or more children; $15 annual licensing fee with renewal.
-FDCH may have maximum of 6 children with no more than 2 under the age of 2, includes provider's children under age 6.
-Provider/child ratios: infants, toddlers, preschoolers, and schoolage - 1:6 and 2:7-12.
-Liability insurance not required.
-Inspections occur before licensure and annually thereafter.
-Space requirements: Inside- 35 sq. ft. of activity area per child; outside- 60 sq. ft. per child for 20% of the licensed capacity.
-**Large Family Day Care Homes:**
  -Also known as Group Day Care Homes.
  -7-12 children may be cared for with maximum of 4 under age 2.
  -Provider/child ratio is 1:6.

Training and Orientation

-Training required for FDC and LFDC providers.
-FDC: Providers must have 6 hours training annually in topics such as first aid, sanitation, nutrition, etc.
-LFDC: Providers must have 12 hours training annually; 6 hours will cover topics covered with FDC providers and the other 6 will be in child growth and development.

Provider Qualifications

-Day care provider must be 18 years old.
-Initial TB test required.
-Criminal record checks and fingerprinting required for provider and household members over 18 years old; cost is $23 per person. (Paid to the Federal Bureau of Investigations.)

Discipline

-Corporal punishment prohibited.

Zoning

-All facilities must comply with local ordinances.

Sick Child Care Regulations

-Regulations applicable to sick child care are included with general standards.

National Life Safety Fire Code
-Not adopted.

Local Contact
-First contact should be with the state agency.

Pending Legislation
-None.

NEW YORK

Information
Supplied By: Joseph Capo
Bureau of Child Care
N.Y.S. Department of Social Services
40 N. Pearl Street, 11-B
Albany, NY 12243
(518) 474-5926

7,743 regulated family day care homes and group family day care homes statewide.

Regulations and Requirements

-Licensing required; no fee. Licenses renewed annually.
-FDCH may have 3-6 children with no more than 2 under the age of 2.
-There may be no more than 5 children if at least 1 child is under 3.
-Two additional school aged children may be cared for with agency approval of the increased capacity.
-Liability insurance not required.
-Law required that parents have unlimited access to their children while in FDCH.
-Homes inspected prior to issuing and renewing licenses; if there is a complaint homes can be visited unannounced.
-Space Requirements: None.
-**Large Family Day Care Homes:**
  -Two providers care for up to 10 children with no more than 4 being under the age of 2, or up to 12 children if none are under the age of 2.
  -Two additional school aged children may be cared for before and after school hours.
  -LFDC providers also required to be licensed which are renewed every two years.

Training and Orientation

-FDC and LFDC providers must receive training in at least the following: child abuse prevention and identification; safety and security procedures; and principles of child development (when funds for training are available).

Provider Qualifications

-FDC provider must be at least 18 years old.
-Physical exams required prior to issuing and renewing licenses.
-References required.
-Providers must sign sworn statement indicating whether, to the best of their knowledge, they have never been convicted of a crime in New York State or any other jurisdiction.

Discipline

-Corporal punishment prohibited.

Zoning

-FDCH must comply with local ordinances.
-State statute exempts LFDCH from any special zoning requirements except where they are located above the ground floor of a multi-family dwelling that is not fireproof.

Sick Child Care Regulations
-Regulations currently being developed.

National Life Safety Fire Code
-Not adopted.

Local Contact
-N.Y. State Dept. of Social Services for private pay placements and County Departments of Social Services for subsidized placements.

Pending Legislation
-Regarding granting the authority to the NYS Dept. of Social Services to register family day care providers throughout the state and to prohibit local government from establishing zoning requirements for FDCH other than those required for private residence.
-Legislation pending to change all DCH licensing into registration.
-Proposed amendments to the family day care regulations.
-A regulatory system of registration will be implemented by October, 1991.

***NEW YORK CITY REGULATIONS**

In New York City, there are two sets of licensing regulations being enforced currently. One system is run by the Agency for Child Development one by the Department of Health.

-AGENCY FOR CHILD DEVELOPMENT: (ACD, 240 Church Street, New York, NY 10013)

* Oversees the regulation of over 2,392 regulated family day care homes citywide.
* Regulations for NY state (see above) are adhered to but that LFDCH are licensed by the State Dept. of Social Services.
* Providers participating in ACD monitoring go through the following process:

1. Potential providers contact the ACD Office and they give them the name of the program or sponsoring office in their geographic area who has contracted with ACD to monitor providers in that area (72 program offices in NY City).
2. Potential providers complete applications or inquiry forms at the local sponsoring office who in turn does its own initial screening visit. The local program office sends the application/inquiry form and the screening report to ACD, this is the first involvement ACD.
3. An ACD licensing specialist assigned to that particular area of the city now does a home study on potential provider and family; this includes medical statements, fingerprinting, Child Abuse Registry checks, references, and health and safety checks.
4. Upon the results of an average of 2 visits from the licensing specialist and the completion of all necessary forms and checks, the decision as to whether to issue this provider a license is made. Licenses are awarded from the ACD Office.
5. The individual programs are responsible for monitoring the providers after licensure, but ACD presides over all 72 programs or "systems."

6. ACD contracts with these programs to place children in these FDCH. ALL children in these homes are part of public subsidy program to providers. Providers cannot participate in this licensing process unless they accept subsidized children and agree to terms of subsidy regulations.

-DEPARTMENT OF HEALTH: (NYC Department of Health, Bureau of Day Care, 65 Worth Street, New York, NY 10013)

Monitors approximately 325 family day care homes in process of certification and certified.

Regulations and Requirements

-Certificate of Approval required where children under 2 years of age are in care.
-FDC provider may serve total of six children including own children younger than 12.
-No more than two children younger than 2 permitted.
-Certificates renewed annually.
-Homes inspected prior to issuance and renewal of certificates of approval. Unannounced visits may be made.
-Children required to have current physical examination and immunization record.
-Physical facility must meet health and safety standards.
-Nutrition and program requirements set by Code.

Training and Orientation

-No training or orientation required.

Provider Qualifications

-Physical exams for provider and household members required prior to issuance and renewal of certification of approval.
-References required.
-Providers must sign sworn statement indicating whether they have ever been convicted of a crime in New York State or any other jurisdiction.

NEVADA

Information
Supplied By: Patricia J. Hedgecoth, Chief
Bureau of Services for Child Care
505 E. King Street, Room 101
Carson City, NV 89710
(702) 687-5911

410 regulated family child care homes and 30 regulated group (large family) care homes statewide.

Regulations and Requirements

-Licensing required by State law when caring for 5 or more children for compensation; no application fee. County/City set own fee schedule.
-Licensing fees: 6 or less children - $20; 7-12 children - $60.
-Licenses renewed annually.
-FDC providers may care for maximum of 6 children, not including family members; maximum of 4 children under 2 years of age, 2 children under 1 year.
-Liability insurance required.
-Substitute caregiver required, providers must give the name and phone number of the substitute to the licensing agency.
-Initial inspections prior to licensure; subsequent inspections throughout year with minimum of 2 per year - inspections are random and advance notice not given.
-Space requirements: 35 sq. ft. per child inside usable space; 37 1/2 sq. ft. per child outside.
-**Large Family Day Care Homes:**
  -Known as Group Care Home.
  -7-12 children must be cared for by a minimum of 2 providers.
  -Provider/child ratio of 1:6 maintained; no more than 8 children under 3 years old and no more than 4 children under 1 year.
  -An additional caretaker must be on duty whenever one or more of the following conditions exist:
  -More than six children are in the facility;
  -More than four of the children are less than 2 years of age;
  -More than two of the children are less than 1 year of age.

Training and Orientation

-Providers must take an initial 3 hours of training within the first six months of licensing; 3 hours of continuing education annually follows.

Provider Qualifications

-Owner must be 18 years old. The facility may not be operated without a caregiver a minimum of 18 years old on the premises.
-Caregivers must be at least 16 years old and have had a Child Development course.
-Physical exams not required; TB test is required, renewable every 2 years.
-FBI background checks conducted on all licensees and adult family members living in home.

Discipline

-Corporal punishment prohibited.

Zoning
-Day care homes must comply with local ordinances.

Sick Child Care Regulations
-Regulations currently in draft form.

National Life Safety Fire Code
-Adopted by the State Fire Marshal's Office.

Local Contact
-Except for localities listed below, contact the Bureau of Services for Child Care (702-687-5911) to get the county or city contact near your area.

Pending Legislation
-None.

The Bureau of Services for Child Care does not license child care facilities in the localities listed below. Please direct inquiries concerning these facilities to one of the following:

Carson City
Jack Fralinger, Director
Carson City Health Dept.
Environmental Health Svs.
1711 North Roop Street
Carson City, NV 89701
(702) 887-2190

City of Las Vegas
Marjorie Hether, Chief
Privilege License Div.
City of Las Vegas
Dept. of Business Activity
400 E. Stewart Ave.
Las Vegas, NV 89101
(702) 386-6011

Clark County (Unincorporated areas)
Barbara Clark, Supervisor
Child Welfare Licensing
Clark County Social Services
651 Shadow Lane
Las Vegas, NV 89106
(702) 455-4218

Washoe County
Jerry Tracy, Supervisor
Washoe Co. Social Svs.
P.O. Box 11130
Reno, NV 89520-0027
(702) 328-2300

NORTH CAROLINA

Information
Supplied By: Talitha Wright
Division of Facility Services
Child Day Care Section
701 Barbour Drive
Raleigh, NC 27603
(919) 733-4801

3,245 regulated family day care homes and 138 regulated large family day care homes statewide.

Regulations and Requirements

-Registration required for any person providing care for 3-5 preschool children; registered home may also care for 3 additional school aged children; no fees except for $4 initial charge to all new applicants requesting a registration packet.
-Registration is renewed every 2 years through reapplication and announced home visits by the child day care home consultant.
-FDCH are required to meet minimum health, safety, and sanitation regulations.
-Substitute caregivers and liability insurance not required.
-Any provider caring for 6 or more preschoolers must be licensed to operate a large day care home or center.
-FDCH inspected before initial registration, during announced renewal visits, some random drop-in visits and whenever a complaint is received.
-Space requirements: None for small family day care homes. For large family day care homes - 25 sq. ft. per child inside, 75 sq. ft. per child outside.
-**Large Family Day Care Homes:**
  -Must be licensed; no fee.
  -Provider/child ratios in LFDCH:

All infants	1:6		
0-12 years	1:8	3-12 years	1:12
2-12 years	1:10	School aged	1:15

  -Some extra children allowed in the two weeks before and after school begins and ends.

Training and Orientation

-First Aid and Child CPR required.
-LFDCH: One year of experience as a caregiver in a day care home or center is required.
-LFDCH: All staff members must participate annually in 20 hours of training related to the care of children.

Provider Qualifications

-FDCH provider must be 18 years old and literate.
-Providers must have biennial TB tests and health statements.
-Providers can have no criminal records of child abuse nor any behaviors or habits that may be harmful to children (e.g., drug or alcohol abuse).
-LFDCH providers must be 21 years old and literate.
-LFDCH providers must have annual TB tests and health statements.

Discipline
-Corporal punishment, and other negative forms of discipline which are threatening, frightening, or otherwise unduly harsh are prohibited.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Regulations
-Not regulated in family day care.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Division of Facility Services, Child Day Care Section (919) 733-4801.

Pending Legislation
-Effective October 1, 1990, LFDCH providers must have completed at least one year of full time caregiving experience in a registered or licensed day care facility or have equivalent verifiable experience.
-Effective October 1, 1990, Provider/child ratios in LFDCH:

0-4 years	1:6		
0-13 years	1:8	3-13 years	1:12
2-13 years	1:10	School aged	1:15

-Effective January 1, 1991, LFDCH: At least one person on the premises at all times who is certified to perform child cardio pulmonary resuscitation (CPR).

NORTH DAKOTA

Information
Supplied By: Paul Ronningen
North Dakota Office of Human Services
State Capital Building
Bismarck, ND 58505
(701) 224-4809

1,103 regulated family day care homes and 552 regulated large family day care homes statewide.

Regulations and Requirements

-License required for 6 or more children, or for 4 children under 24 months of age.
-No more than 7 children allowed in a FDCH plus 2 additional school age children before and after school.
-License fee is $20 and licenses are renewed annually; money is used to offset expense of DC licensing worker and day care provider training.
-Parents must make pre-enrollment visit and have free access to home.
-Substitute caregivers required; Abuse and Neglect investigation are conducted.
-Homes inspected before licensing.
-Space requirements: 35 sq. ft. inside; 75 sq. ft. outside.
-**Large Family Day Care Homes:**
  -Must be licensed with annual renewal; fee is $25.
  -Staff ratios: 1:4--under 2 1:10-4 years
  1:5--2 years 1:12-5 years
  1:7--3 years 1:18-6 years and up
  -8-18 children are allowed.
  -County social services office does inspections and state DHS issues license.

Training and Orientation

-Education requirements vary for different levels of care.
-LFDCH: Supervisor-CPR certification and 6 hours training/year and caregiver-up to six hours of training depending on percentage of their full-time job.

Provider Qualifications

-Provider must be at least 18 years old.
-Mentally, physically, and emotionally capable of providing care for children.
-No criminal records check but a Child Abuse and Neglect Records check required.

Discipline

-Corporal punishment prohibited.
-Time out, diversion, separation from problem, talking with child about problem, praise for appropriate behavior, and gentle physical restraint are encouraged.

Zoning

-FDCH and LFDCH must comply with local ordinances.

Sick Child Care Regulations

-Regulated by Health Dept. No state regulations. The only sick child care is provided in local hospitals as part of their service to the community.

National Life Safety Fire Code
-Local agencies adopt their own codes. The National Life Safety Fire Code is enforced in most of state.

Local Contact
-County Social Services.

Pending Legislation
-None.

OHIO

Information
Supplied By: M. Pauline Hosenfeld, Chief
Bureau of Child Care Services
Ohio Department of Human Services
30 E. Broad Street, 30th Floor
Columbus, OH 43266-0423
(614) 466-3822

3,500 Type B homes certified by local Departments of Human Services and 7 Type A home licensed statewide.

Regulations and Requirements

-Certification for FDCH (Type B) is required for homes that receive public funds and care for 1-6 children.
-Type B homes care for 1-6 children including related children under 6 years of age and no more than 3 may be under 2 years of age.
-Certification is valid for one year and is renewed based on county inspection findings.
-All homes inspected twice a year.
-Space requirements: 35 sq. ft. indoors; 60 sq. ft. per child using space at a time outdoors.
-**Large Family Day Care Homes:**
  -Also known as Type A homes.
  -Licensing required for homes caring for 7-12 children including children related to licensee under the age of 6 and no more than 3 of whom may be under the age of 2 years; or 4-12 children including related children under the age of 6 years when 4 or more children are under 2 years of age.
  -Initial fee of $50 for licenses and a $25 renewal fee; licenses must be renewed every 2 years.

Training and Orientation

-Personnel in Type A homes must have a high school diploma and, unless educationally exempt, must complete 15 hours in-service training annually until 45 hours are completed. Each home must have one person who has completed first aid training.
-The administrator (director) of the Type A home must have a high school diploma, 2 years child care experience or college, and, unless educationally exempt, must complete 15 hours in-service training annually until 45 hours are completed.
-Personnel in Type B homes must complete 12 hours of in-service training during first year of certification and 6 hours annually until 30 hours are completed unless educationally exempt. In addition, each provider must complete a 6 hour Health and Safety in Family Day Care course during first year of certification.

Provider Qualifications

-Provider must be at least 18 years old.
-Signed statement from provider and family members over 18 that they have no criminal record of acts involving children.

Discipline

-Written discipline policy statement must be signed and approved by parents; spanking not permitted in certified type B homes. Spanking is permitted, under certain restrictions, in licensed type A homes.

Zoning

-Type B homes can operate in any neighborhood zoned residential.
-Type A homes may be excluded by zoning requirements; face same zoning requirements as centers.

Sick Child Care Regulations

-Other than a cold and minor symptoms, isolate the child and observe. If more serious symptoms arise, call parents and send the child home.

National Life Safety Fire Code

-Not adopted.

Local Contact

-For type B homes: County Department of Human Services.
-For type A homes: State Department of Human Services.

Pending Legislation

-H.B. 356: Child Care Enforcement Bill. This bill will revise Ohio's Child Day Care Licensing Law.

OKLAHOMA

Information
Supplied By: Nancy von Bargen
Department of Human Services
P.O. Box 25352
Oklahoma City, OK 73125
(405) 521-3561

2,337 regulated family day care homes statewide.

Regulations and Requirements
-Licensing required; no fee.
-Licenses renewed annually; homes monitored 3 times per year.
-Provider may care for maximum of 5 children.
-Liability insurance required for transportation.
-Substitute caregiver required; does not have to be licensed.
-Inspections of homes occur initially and three times per year.
-No provisions for LFDCH.
-Space requirements: 35 sq. ft. per child indoors; 75 sq. ft. per child outdoors.

Training and Orientation
-Training not required.

Provider Qualifications
-FDC provider must be 18 years old.
-Initial physical exam required.
-Four written references required, including one from the family physician.
-No criminal record checks or fingerprinting required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Regulations
-Sick child is isolated and parents are notified.

National Life Safety Fire Code
-Must meet the local minimum housing code, or if none exists, the National Life Safety Code. However, fire inspections are not made except in two urban communities so it has not been a problem.

Local Contact
-Dept. of Human Services. Licensing staff is headquartered in 27 of 77 county offices.

Pending Legislation
-Considering revisions (not legislation) replacing reference to National Life Safety Fire Code.

OREGON

Information
Supplied By: Karen Moffat
Day Care Services
Children's Services Division
198 Commercial Street, S.E.
Salem, OR 97310
(503) 378-3178, AC 503

5,659 regulated (voluntary) family day care homes and 138 regulated (mandatory) large family day care homes statewide.

Regulations and Requirements

-Registration voluntary and can be renewed every 2 years through the mail; no fee.
-Provider may have maximum of 6 day care children with no more than 2, including provider's own children, under 2 years old. Provider may have up to 10 children in the day care home under 13 only where 4 are the provider's.
-Liability insurance not required for FDCH or LFDCH.
-No home inspections done on FDCH.
-Space requirements: 35 sq. ft. exclusive of bathrooms and hallways and any other space not used regularly by day care children.
-**Large Family Day Care Homes:**
  -7-12 children with the following staff ratios:
    -1:4 (4 infants and toddlers)
    -1:4 (3 infants and toddlers/1 pre-school)
    -1:6 (2 infants and toddlers/4 pre-school)
    -1:6 (1 infant and toddler/5 pre-school)
    -1:10 (10 pre-school or school age)
    -1:12 (12, all school age)
  -Required to be certified; $5 annual fee.
  -Certified under rules specifically for this type of facility.
  -Home visit is made; inspections from fire marshal and sanitarian are made.

Training and Orientation

-No training required for FDC providers.
-1-1/2 hours orientation session required for FDC providers.
-LFDC providers receive pre-certification consultation on an individual basis; no specific orientation; 15 clock hours per year of training is required.

Provider Qualifications

-Provider must be at least 18 years old.
-No convictions for crimes against persons and absence of a problematic child welfare record; also, no felony offenses involving controlled substances, or any other offense bearing substantial relation to qualifications, functions of operator, or employee of day care facility.
-Criminal record checks of Oregon law enforcement data required for all adults in the registered or certified family day care homes, and all adults who are in a day care facility for a significant period of time when children are present.

Discipline

-Corporal punishment prohibited.

Zoning

-FDCH and LFDCH are considered residential uses of property for zoning purposes; no restrictions may be imposed on day care homes that are not also placed on other dwellings in residential or commercial zones.

Sick Child Care Regulations

-Provider must keep records of:
  -emergency medical treatment form accepted by local medical facility (noted on form), information and authorization form from parents or guardian, medication administered to the child while in the day care facility, and accidents, injuries, and communicable diseases.
-Ill children not accepted unless all children are from one family.
-Children who become ill at the day care home are isolated until they are picked up by their parents.
-If illness is serious, notify physician named on form, or take the child to the medical facility named on form.
-Parents must be notified when medication is administrated the day it is given, if permission to give medication was granted on an as needed basis.
-For prescription medication, written authorization from parents is required, for nonprescription medication, written instructions from parents is required.

National Life Safety Fire Code

-Not adopted.

Local Contact

-Statewide Toll Free Number to Central Office, Children's Services Division: 1-800-556-6616, Oregon only.

New Legislation

-The state statutes which permit the department to do criminal record checks were changed to allow the licensing agency more latitude in the rule making process as to whom would be checked and how extensive a criminal record check may be. Day care certification practice will remain as is for the next year, however, as the current process is working well.

PENNSYLVANIA

Information
Supplied By: Susan Miller, Policy Specialist
Bureau of Child Day Care
Office of Children, Youth and Families
Dept. of Public Welfare, Complex 3, 4th Floor
P.O. Box 2675
Harrisburg, PA 17105
(717) 787-1529 or 787-8691

5,418 regulated family day care homes and 498 regulated large family day care homes statewide.

Regulations and Requirements

-Registration required for FDCH caring for 4-6 unrelated children, no more than 4 of whom may be infants and/or toddlers.
-Providers caring for fewer than 4 unrelated children are exempt from regulation.
-Certificates of registration valid for 2 years.
-Random inspection of 7-10% of registered homes conducted annually.
-Space requirements: No square footage requirements in/out of FDCH; 40 sq. ft. per child inside for LFDCH.
-**Large Family Day Care Homes:**
  -Also known as Group Day Care Homes.
  -Must meet licensing requirements; no fee.
  -Staff Ratio is 2:11.

Training and Orientation

-Training will be required in new service regulations.
-Training offered on a pilot basis for FDCH and GDCH providers.

Provider Qualifications

-For FDCH, provider must be at least 18 years old.
-Provider must have medical exam every 2 years, or more frequently if Dept. of Public Welfare identifies health problem.
-Child Abuse Registry clearances and state police clearances required.

Discipline

-No form of physical punishment, including spanking, may be used; disciplinary methods shall not humiliate, shame, or frighten child.

Zoning

-Local, township, and borough ordinances not addressed in current family or group day care regulations.
-Dept. of Public Welfare advises FDCH and GDCH to research the local ordinances.
-Regulations require Labor and Industry approval in facilities which offer care below ground level/above the second floor.

Sick Child Care Regulations

-State does not have sick child care regulations; providers who offer sick child care comply with the appropriate regulatory chapters (Center, Group Home, Family Home).

National Life Safety Fire Code
-Not adopted.

Local Contact
-Each regional Dept. of Public Welfare, Office of Children, Youth and Families has a toll-free phone number from anywhere in PA.

Pending Legislation
-Regarding licensing and registration regulations for child day care centers, GDCH, FDCH, specialized services for children with disabilities, and demonstration projects.
-Legislation pending to require FDCH to comply with State Labor and Industry standards for small group habitation.
-Legislation pending for fees for licensing group homes and for registering family homes.

RHODE ISLAND

Information
Supplied By: JoAnne K. Flodin
Dept. of Children, Youth, and Families
Division of Community Services
Day Care Licensing
610 Mt. Pleasant Avenue
Providence, RI 02908
(401) 457-4995

580 regulated family day care homes (estimated that 20% of these are caring for 7 to 8 children) statewide; 2 licensed group family day care homes.

Regulations and Requirements

-Providers certified at no cost; certification renewable every 2 years; undergo screenings, fire and health inspections and home visits for renewals.
-FDC providers may care for up to 6 children. If care is provided to child under 18 months of age, can care for no more than 4 children under 6 years, no more than 2 of which can be under the age of 18 months.
-Providers may have up to 8 children if there is an approved assistant present; no more than 4 may be under 18 months old. RI considers these homes another category of FDCH, not a LFDCH.
-Parents must have unlimited access to FDCH.
-Providers must have two substitute caregivers to call in case of emergency (these people do not have to be certified, but they are screened).
-Homes are inspected before certification and at renewal.
-Space requirements: 35 sq. ft. per child indoors.
-**Large Family Day Care Homes:**
  -Licensing is required and must be renewed annually.
  -Up to 12 children may be cared for in a Group Day Care Home.
  -Space requirements: 35 sq. ft. per child indoors; 75 sq. ft. per child outdoors.

Training and Orientation

-Provider must have training and/or experience in caring for children under 6 years of age. 10 hours of training required every 2 years.
-In homes with 8 children, provider and assistant must have this training.
-Training will be required for large family day care providers. 8 hours of training required every year for provider and assistant(s) in group day care home.

Provider Qualifications

-Provider must be at least 18 years old; must be 21 years old for group day care home.
-Physical exams required at certification and at renewal.
-Statewide criminal check made on all adults in provider's home.
-Fingerprinting for nationwide FBI check required for provider and assistants; no cost.

Discipline

-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Regulations
-Sick child care is allowed in family day care homes. Regulations address the care of sick children.

National Life Safety Fire Code
-This code has been adopted for family group day care homes - compliance with code is required for licensing.

Local Contact
-Division of Community Services, Dept. of Children, Youth, and Families.

Pending Legislation
-Legislation is pending to exempt family day care (not including group family day care) from local zoning ordinances. A comprehensive state-wide zoning bill has just passed (effective 1/1/92). This bill includes a section on family day care - will allow operation in residential areas.

SOUTH CAROLINA

Information
Supplied By: Helen Baxter and Barbara Yandle
Office of Children, Family and Adult Services
South Carolina Department of Social Services
Post Office Box 1520
Columbia, SC 29202
(803) 734-5740

7 licensed and 1,406 registered family day care homes and 343 licensed group day care homes statewide.

Regulations and Requirements

-As of June 13, 1991, a bill was signed into Law whereby FDCH operators have the option of being licensed or registered. If licensed, suggested standards become mandated.
-FDCH providers may have a maximum of 6 children including family members under 12.
-Provider/child ratios: infants (up to 2 years old) - 1:8; 2 year olds - 1:12; 3 year olds - 1:15; 4 year olds - 1:20; 5 year olds - 1:25.
-Registered on a yearly basis; application is submitted each year for registration renewal. Licensure will be completed on a two year basis if Regular.
-References as well as consumer parent statements required for registration.
-Registered FDCH not inspected unless a complaint is received.
-Space requirements: no requirement for registered FDCH. Licensed FDCH - 35 sq. ft. inside and 75 sq. ft. outside per child.
-Licensed FDCH are inspected prior to licensing and twice a year after that.
-**Group Day Care Homes:**
  -Composed of 7-12 children including family members under 12; if there are 9 or more children present, or 4 are under the age of 2, an additional caregiver must be present.
  -GDCH are inspected prior to licensing and twice a year after that.

Training and Orientation

-No training or orientation required.

Provider Qualifications

-Registered providers have no requirements; suggested standards are mandated for licensed providers.
-GDCH providers must be at least 21 years old; Caregivers must be 18 years of age but 14 year olds and above can be permitted as caregivers if properly supervised.
-Providers must complete medical statements when submitting applications; physical exam required only if medical problem is apparent for licensed GDCH providers/FDCH providers.
-Three written references from persons unrelated to provider required (GDCH) and (FDCH).
-GDCH providers must have high school diploma/GED/Child Development Associate Credential with at least one year's experience in a licensed/approved child day care facility as a caregiver.
-Criminal history checks are required for all licensed facilities.

Discipline
-Corporal punishment permitted in licensed homes with written parental consent.

Zoning
-FDCH and GDCH must comply with local zoning regulations although zoning is not addressed in statutory or regulatory requirements.

Sick Child Care Regulations
-Regulations for GDCH same as day care centers.
-Regulations for licensed FDCH.

National Life Safety Fire Code
-Not adopted.

Local Contact
-County Department of Social Services.

Pending Legislation
-None.

SOUTH DAKOTA

Information
Supplied By: David Hanson
Department of Social Services
Child Protection Division
Kneip Building
700 Governors Drive
Pierre, SD 57501
(605) 773-3227

651 regulated family day care homes statewide. 40 GFDCH currently licensed.

Regulations and Requirements

-Registration required for providers receiving public funds.
-Maximum number of children allowed: 12 with no more than four children under the age of two years unless assisted by registered helper.
-Provider's children under six years of age must be counted.
-Registration renewal occurs every 2 years; home visit required.
-Home visits are made prior to the issuance of the initial registration certificate. Inspections occur at least one time every two years after the initial registration.
-Space requirements: Only for GFDC- 35 sq. ft. per child indoors, 50 sq. ft. per child outdoors.
-**Large Family Day Care Homes:**
  -Licensure required of all providers.
  -May have 13-20 children.
  -Staff ratios: 1:5 ages birth to 3 years.
  1:8 ages 3 years and above.
  -Provider's children under age 6 must be counted.
  -License is effective for 1 year. Onsite licensing visits occur before initial license and annually thereafter.
  -Health Department and Fire Marshall inspect before initial license and annually thereafter.

Training and Orientation

-No orientation.
-Six hours of training every two years for renewal for FDC.
-Ten hours of training annually for license renewal for LFDCH.

Provider Qualifications

-Provider must be at least 18 years old for FDC.
-Provider must be at least 21 years of age for GFDC, except that an individual who is at least 18 and has a child development technician diploma or a child development associate certificate may qualify for GFDCH.
-Provider must be T.B. tested and have physical exam before beginning operation; household members must have T.B. tests, and children under 18 living in the home must be currently immunized.
-3 positive references.
-Applicants and all adult household members screened against the State's Central Registry of Child Abuse/Neglect before registration.

Discipline

-Corporal punishment prohibited.

Zoning
-Must comply with local ordinances.

Sick Child Care Regulations
-Sick child is to be isolated and parents notified. All parents and Health Dept. must be notified if child contracts contagious disease.

National Life Safety Fire Code
-Not adopted.

Local Contact
-State Department of Social Services.

Pending Legislation
-None.

TENNESSEE

Information
Supplied By: Carolyn Deal
Licensing Unit
Department of Human Services
Citizens Plaza
400 Deaderick
Nashville, TN 37248-9800
(615) 741-7129

692 regulated family day care homes and 426 regulated large family day care homes statewide.

Regulations and Requirements

-Licensing required for homes caring for FDCH and LFDCH; fee for FDCH is $5 annually and for GFDCH, $10 annually, money goes to state general fund.
-Licenses renewed annually.
-FDC providers may care for up to 7 children in addition to own; if more than 4 are under age 2, another caregiver required.
-Specific child/staff will be enforced in new standards to be implemented in the fall.
-Liability insurance required only for transportation.
-Homes inspected prior to licensure and subsequent visits occur once a year (one of visits is unannounced); homes with violations inspected quarterly or as needed.
-Space requirements: 30 sq. ft. indoors for LFDCH; local ordinances sometimes specify space outdoors.
-**Large Family Day Care Homes:**
  -Will change with new standards - Fall 1991.
  -The provider/child ratios are as follows:

6 weeks & up - 1:6	K thru school age - 1:12
3 years & up - 1:12	Any handicapped - 1:6
More than 9 under 3 yrs - 1:4	Handicapped and under 3 years - 1:4

Training and Orientation

-When new standards take effect:
  -FDC providers required to have 4 clock hours in-service training annually.
  -LFDC providers (primary care givers only) required to have 8 hours training in child care annually.
  -Preservice "orientation" (provided by DHS) required to get license.

Provider Qualifications

-Provider must be 18 years old.
-Physical exam required prior to licensing and follow-up exam every 3 years.
-Three written references required.
-No criminal records check or fingerprinting required at present time.
-LFDC primary caregiver must have a high school diploma or equivalent.

Discipline

-Spanking with open hand on buttocks permitted.
-When new standards are finalized (fall 1991) spanking will be prohibited.

Zoning
-Day care homes must comply with local ordinances, but not enforced by licensing staff.

Sick Child Care Regulations
-Incorporated with other licensure, standards are pending.

National Life Safety Fire Code
-Adopted.

Local Contact
-Dept of Human Services.

Pending Legislation or Policy Change
-A change in procedure takes effect in Sept. 1991: Agencies in full compliance at least two years may be re-evaluated every other year, or if accredited every 3 years. Agency must maintain compliance and receive no valid complaint reports and (because the law requires it) will receive one inspection visit and an annual license.

Demonstration Projects
-Have been conducting a voluntary Family Day Care Registration project (with Dependent Care Grant) since October 1990. As of June 1991, have 68 registered homes in the project area (22 counties; TN has 95 counties). Project to be continued for at least another year.

TEXAS

Information
Supplied By: T. Douglas Sanders
Texas Department of Human Services
P.O. Box 149030
Mail Code W-403
Austin, TX 78714-9030
(512) 450-3253

14,934 regulated family day care homes, 785 regulated large family day care homes, and 5,710 child care centers statewide. Standards reviewed at least once every six years.

Regulations and Requirements

-Providers must pay an annual fee of $35 for registration of FDCH, all money goes to General Revenue Fund for the state; registration in effect until revoked or home voluntarily ceases providing care.
-Registered homes are not required to obtain fire inspection from local or state fire inspector.
-Registered homes may care for 6 children under 14 years of age, and an additional 6 elementary school age children for a total of no more than 12 children including the caregiver's own children.
-Registered provider may care for up to 4 infants (defined as 18 months or younger); capacity for older children varies depending upon the ages of children and the number of infants.
-"Parents Guide to Registered Family Homes" must be given to parents.
-No home inspections done prior to registration.
-Space Requirements: none.
-**Large Family Day Care Homes:**
  -Licensing required; annual fee of $47, all money goes to General Revenue Fund.
  -Licensed homes must obtain fire inspection from local or state fire inspector.
  -Providers can care for up to 12 children under 14 years of age.
  -With one provider, from 0-4 infants can be cared for with adjustments in the number of toddlers and school age children.
  -With two providers, from 0-10 infants can be cared for with adjustments in the number of toddlers.
  -Unannounced inspections at least once per year.
  -Space Requirements: There must be at least 30 square feet of indoor activity space for each child.

Training and Orientation

-Registered providers in FDCH's must have 6 hours orientation prior to registration; 20 clock hours per year for all registrants.
-Licensed providers in LFDCH's must have 20 clock hours of training per year.
-Registered providers must have current certificates of First Aid and CPR of infants and children.

Provider Qualifications

-Registered and licensed providers must be at least 21 years old.
-Criminal record check and a child abuse registry check done prior to registration or licensing; no fee.

Discipline

-Corporal punishment prohibited for children under 5; may be used on child over 5 with parental consent. No instrument may be used in delivering punishment.

Zoning

-Local ordinance may limit the number of children in care.

Sick Child Care Regulations

-Providers must notify parents if child becomes ill while in care and obtain emergency treatment when applicable.

-LFDCH homes which are licensed are currently prohibited from caring for sick children unless approved in writing by health personnel. Registered standards do not prohibit care for sick children.

-State considers waivers/variances from licensed providers on prohibition for caring for sick children, and licensed provider usually receives waiver of the standard.

National Life Safety Fire Code

-Not adopted.

Local Contact

-Texas Dept. of Human Services, Child Care Licensing.

Pending Legislation

-The current session of the Texas Legislature is considering legislation that would effect family day care by:

  -Removing the exemption from registration requirements for homes that provide care for fewer than 4 unrelated children and receive local, state, or federal funds for child care services. Currently, homes that care for 3 or fewer children who are not the caregiver's children are not required to register.

  -Creating a liability insurance pool for caregivers.

  -Establishing registered family day care as an appropriate residential use of a dwelling for zoning and deed restrictions. Associations and Municipalities could regulate the business but not prohibit it.

UTAH

Information
Supplied By: Ilene Olson
Department of Human Services
Office of Licensing
120 North 200 West
Salt Lake City, UT 84114
(801) 538-4242

1,841 regulated day care homes and 169 regulated large family day care homes statewide.

Regulations and Requirements

-Licensing required; $25 fee plus additional $1.50/child cared for must be paid; money is placed in general fund of the Dept. of Human Services.
-Exempt from licensing if caring for 3 children or less.
-Licenses renewed annually; fees paid annually with renewal.
-Licensed substitute required.
-Provider/child ratio:
  infant only - 1 caregiver to 3 infants;
  regular license - 1 caregiver to 2 infants plus 4 children ages two and older; the caregivers own children not in first grade count;
  school-age option - if all children are 2 and older, then 6 children plus 2 school-age children may be cared for. If one child is under age 2, then 6 children plus 1 school-age child may be cared for. In all situations the caregivers own children under first grade age count in the licensed number.
-Homes inspected prior to licensing; department attempts to inspect homes twice a year thereafter.
-Space requirements: FDCH are required to have 35 usable sq. ft. of space per child, free for child activities. 40 sq. ft. of usable outdoor play area per child is required. The caregiver may use other easily accessible outdoor areas if conveniently located.
-**Large Family Day Care Homes:**
  -6-12 children may be cared for including provider's own under first grade age.
  -Provider/child ratio is 1:6 and provider/infant ratio is 1:2.

Training and Orientation

-Two hours training required for FDCH or LFDCH providers before initial licensing.
-State required to offer 12 hours of training to each potential provider, but provider has option of participating in training. Each provider required to attain 6 hours of approved training annually.

Provider Qualifications

-Provider must be 18 years old.
-Physical exams required upon entry of employment.
-Three written references required.
-Child abuse registry check required of potential providers.
-Bureau of Criminal Investigation fingerprint checks required of current and new provider licensing applicant.

Discipline

-Corporal punishment prohibited.

Zoning

-Day care homes must comply with local ordinances.

Sick Child Care Regulations

-No sick child care facilities in the state that are regulated by the State. However, several hospitals provide sick child care to anyone in the community on a 24 hour basis as long as there are nurses and beds available for the care of the children.

-FDC standards state that if a child shows signs of illness after arrival, the provider shall contact the parent immediately, and it is the parents responsibility to pick up their child and provide continued care.

National Life Safety Fire Code

-Has not been adopted for family day care homes through the State Office of Licensing. Some local community fire departments are using the Life Safety Code as they check homes. The Building Code Commission is currently proposing that the Life Safety Code not be applied for caregivers taking fewer than 10 children.

Local Contact

-Family Day Care Licensing is initiated and completed at the local regional office. The local regional offices are under the umbrella of the Department of Human Services.

Pending Legislation

-None.

VERMONT

Information
Supplied By: Coleman Baker, Children's Day Care Licensing Chief
Children's Day Care Unit
Division of Licensing and Regulation
103 S. Main Street
Waterbury, VT 05676
(802) 241-2158

Approximately 1,818 registered family day care homes and approximately 20 licensed large family day care homes (known as "Day Care Centers" for 12 children or fewer) statewide.

Regulations and Requirements

-FDCH providers caring for children from more than 2 families must be registered.
-Providers in LFDCH and most other group settings must be licensed.
-Registered providers operate small programs in their own homes; licensed providers care for children in their home or at another site.
-Registration renewed annually by notice from CDCU; licenses may be issued for up to 3 years.
-Liability insurance required for all licensed providers.
-There is the opportunity for two parent/provider conferences per year for licensed providers.
-Parents have unlimited visitation of day care home without delay.
-Registered providers care for maximum of 6 children full-time plus additional 4 school-age children for not more than 4 hours per day on a before and/or after school basis, not including provider's children over two years of age; provider to infant ratio is 1:2 including provider's children under age 2 years old.
-When children are under age two, a 1:3 ratio is allowed in registration, providing no other preschool children in care. Also allows for 2:6.
-School age children may be in care for a full day when school is closed during school year, or during summer if second adult is on duty before the seventh child arrives, provider's own preschoolers count in summer for 12 option.
-Licensed provider may care for maximum of 6 children with no more than 2 under age 2 including own preschool children.
-Space requirements: Area must be "sufficient in size to permit children to move about freely" in registered homes. In licensed homes, 35 sq. ft. per child.
-**Licensed Day Care Centers For 12 Or Fewer:**
  -Licensing required, inspected prior to licensure and annually.
  -Provider/child ratio is 1:6 in a mixed-age group; provider/infant ratio is 1:2. With all 2 year olds, provider/child ratio is 1:5.

Training and Orientation

-Six hours of training per year required for licensed providers and staff; training is encouraged in CPR, first aid, and child abuse identification.
-Six hours of training per year plus initial orientation required for all registered providers.

Provider Qualifications

-Providers must be at least 18 years old, be able to read, and not found for abuse.

-Three written references from non-related persons required for provider. Three written references for assistants required in licensed facilities.

-Child abuse registry check required of licensees, registrants, and persons residing in FDCH's.

-A person responsible for developing and implementing the program in a facility of twelve or fewer children shall have at least one of the following qualifications:

  -Child Development Associate (CDA), or

  -Associates Degree in Early Childhood, or Human/Child Development (includes Pediatric Nursing), or

  -Two years of successful experience working with groups of children and at least one successfully completed higher education course in early childhood related topics (to be completed within 9 months).

Discipline

-Corporal punishment prohibited.

Zoning

-FDCH for six children or fewer exempt from zoning laws and do not have to comply with local ordinances.

-Licensed Day Care Center serving 6 or more must comply with local ordinances.

Sick Child Care Regulations

-No provisions.

National Life Safety Fire Code

-Not adopted for registered home; modified NFPA and BOCA for licensed homes.

Local Contact

-State office of the Children's Day Care Unit, Division of Licensing, 103 S. Main St., Waterbury, VT 05676, 1-802-241-2158, or any Resource or Referral.

Pending Legislation

-Legislation passed allowing registered homes to care for school age children during school closing times. Now registrants may care for four school age children for full days during the school year when school is not in session.

VIRGINIA

Information
Supplied By: Elizabeth Campbell
Division of Licensing Program
Department of Social Services
8007 Discovery Drive
Richmond, VA 23228
(804) 662-9025

Approximately 412 regulated family day care homes. 1,957 Agency Approved family day care homes accepting children exclusively from local departments of welfare or social services statewide; however, this number does not include family day care homes in the counties of Fairfax, Portsmouth, and Virginia Beach, so this number could potentially be doubled. There are also 4 licensed family day care systems that incorporate 238 family day care homes.

Regulations and Requirements

-Licensing required for FDCH which do not accept children exclusively from local department of welfare or social services; licenses renewed annually; $14 licensing fee used for enrichment materials, education and training.
-Licensing not required for FDCH with less than 6 children, required for 6 or more children.
-FDCH is defined as private family home in which 6 or more children, not including family members, are cared for during some part of the 24 hour day, except: (i) homes which accept children exclusively from local departments of welfare or social services, (ii) homes which have been approved by a licensed day care system or (iii) homes which accept up to 10 children if no more than 5 full time day care and children and no more than 5 school-aged children are in the FDCH, and the school age children are not in the home for longer than 3 hours before school and 3 hours immediately after school.
-Within maximum of 10 children, these ratios must be observed (children include those related to the provider): 1 handicapped child counts as 2; 1 adult required for every 4 children under age 2; 1 adult for every 6 children over age 2 and under age 6; school aged-children in care for no more than 3 hours not counted towards ratios.
-All day care facilities must meet fire, health, and building codes.
-Homes inspected prior to issuance of license and twice a year thereafter; one of these visits is unannounced.
-If a complaint is received, a home is visited.
-No provisions for LFDCH; any home caring for 10 or more children must be licensed as a child care center.
-Space requirements: none.

Training and Orientation

-Training for licenses is offered by the Department, from application fees collected.
-Once provider is licensed, provider will be invited to at least 6 training sessions a year, most of them at no cost.

Provider Qualifications

-FDC provider must be at least 18 years old and an assistant must be at least 14 years old.
-Providers must have TB tests prior to operation of FDCH.
-References required (standards do not specify number).
-Criminal record checks are required of providers and staff.

Discipline

-There is no standard related to corporal punishment.

Zoning

-FDCH must comply with local ordinances but compliance with local zoning requirements is not a prerequisite for state licensing.

Sick Child Care Regulations

-On case-by-case basis, state will waive basic standards for licensed centers. At present, licensed family day care homes do not provide child care for mildly ill children on a formal basis.

National Life Safety Fire Code

-Not adopted.

Local Contact

-The Division of Licensing Programs, Virginia Dept. of Social Services Regional Office: Lynchburg, Fairfax, Richmond, Roanoke, Abingdon, Virginia Beach, Verona.

Pending Legislation

-No pending legislation, but the Division of Licensing Programs will be promulgating new family day care home licensing regulations which incorporate changes that were mandated winter 1989 by State Legislature to be implemented by July of 1992.
-Two bills regarding family day care have been passed and will be implemented by the end of 1991:
  -House Bill 1862 - Voluntary registration for family day care homes not subjected to licensure.
  -House Bill 1035 - Group family day care homes. This bill expands the number of children which can be in a licensed family day care home. Currently the number of children in a licensed family day care homes is six to nine children. The maximum number will increase to 12.
-Note: Drafts of standards and procedures have been completed. In process of establishing an Ad Hoc Advisory Committee. Information provided is based on the current State of Virginia regulations.

WASHINGTON

Information
Supplied By: Pat Dickason - Program Manager
Division of Children and Family Services
OB-41
P.O. Box 45710
Olympia, WA 98504
(206) 586-0684

7,500 licensed family day care homes and large family day care homes statewide.

Regulations and Requirements
-Licenses required for FDCH; fee is $24 annually.
-Providers may care for up to 12 children with a qualified assistant.
-Provider with one year of experience may care for ten children alone if none are under five years of age.
-Maximum of 4 children under 2 years of age allowed in a FDCH with an assistant, two years of experience and an ECE course.
-Licenses renewed at 3 year intervals.
-Liability insurance required for transportation only.
-Substitute caregiver and backup are required.
-Developmentally appropriate activities and routines are required.
-Homes inspected prior to licensing and are only revisited in response to a complaint or for licensing renewal.
-Space requirements: Adequate space for child play shall be available both indoors and outdoors. There shall be a minimum of 35 sq. ft. per child of indoor play area available.
-Large Family Day Care Homes:
  -May have up to 12 children including provider's own children.
  -Must be 2 providers when: there are more than 2 children under age of 2; 7 or more children are in care and any child is under age 2; or, more than 10 children are in care.

Training and Orientation
-FDC providers are required to attend 5 hours of orientation.
-LFDC providers must have one course in early childhood education and two years experience in child care to care for 12 children.
-First aid and CPR and HIV/AIDS training required for all providers.

Provider Qualifications
-Provider must be at least 18 years old.
-Three references are required.
-One class in Early Childhood Education if required for larger capacity.
-Criminal history background check done on applicant, assistant, volunteer, or member of household 16 years or older.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Regulations

-The licensee shall daily observe the child for signs of illness. The licensee shall care for or discharge home the ill child based on the homes policies concerning an ill child.

National Life Safety Fire Code

-Not adopted; fire marshals do initial inspection of FDC homes providing care for 7-12 children; smoke detectors required in all sleeping or napping areas and on each story; exit windows 5.7 sq. ft.; fire extinguishers on all stories used for care.

Local Contact

-Regional offices located throughout the state.

Pending Legislation

-Legislation is currently pending regarding regulations, liability insurance, and zoning for FDC providers.

-Administrative code rules (standards) have been revised.

WEST VIRGINIA

Information
Supplied By: Kay Tilton
West Virginia Dept. of Health & Human Resources
1900 Washington Street, East
Capitol Complex, Building 6, Room 850-B
Charleston, WV 25303
(304) 348-7980

1,300 regulated family day care homes statewide.

Regulations and Requirements
-FDC providers receiving federal funds must be approved by the State Department of Health and Human Resources; no fee.
-Providers may care for up to 6 children, including own children under age of 6; no more than 2 under age 2 allowed.
-Homes inspected annually.
-No space requirements.

Training and Orientation
-No specific guidelines.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Initial physical exam required.
-Criminal records check and thumbprinting done on providers and their families; fee is $5/person and DHHR pays fee.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Sick Child Care Regulations
-None.

National Life Safety Fire Code
-Not adopted.

Local Contact
-Local Dept. of Health and Human Resources.

Pending Legislation
-Beginning to implement family day care registration and new federal child care monies; anticipating a number of changes, but have not yet made final decisions.

WISCONSIN

Information
Supplied By: David B. Edie
Wisconsin Dept. of Health and Social Services
Office of Regulation and Licensing
P.O. Box 7851
Madison, WI 53707
(608) 266-9314

1,536 licensed family day care homes and 2,680 certified family day care homes statewide.

Regulations and Requirements

-Licensing required for homes with 4 or more children under age of 7.
-Certification required for FDCH that have fewer than 4 children under age 7 and that receive certain public funds for day care services.
-If 3 or 4 children under the age of 2 are in care, the number of other children in care is reduced.
-Licenses are $10 biennially and are renewed every 2 years after licensing review, the money goes to the general fund; proposal would raise fee to $50, is under consideration by legislature.
-Liability insurance not required.
-Licensed homes inspected prior to licensing and annually thereafter.
-Certified homes inspected according to state standards.
-Space requirements: For licensing- 35 sq. ft. per child indoors; 75 sq. ft. per child outdoors.
-No provisions for LFDCH; provider caring for more than 8 children must meet same standards as day care center.

Training and Orientation

-Forty hours of early childhood education required within 6 months of licensing and 15 hours annual in-service training required in order to maintain one's license.
-Ten hours of training required for certification.

Provider Qualifications

-FDC provider must be at least 18 years old.
-Initial physical exam required.
-Two references required.
-All applicants must fill out a notarized form concerning criminal background. Random criminal record checks of licensed programs annually.

Discipline

-Corporal punishment prohibited.

Zoning

-FDCH must comply with local ordinances, but there is a state statute prohibiting municipalities from preventing licensed homes from operating where single-family residence is a permitted use.

Sick Child Care Regulations

-In FDC, sick children cannot be in care, some exceptions made if there is a carefully planned program.

National Life Safety Fire Code

-Not adopted.

Local Contact

-County Dept. of Social Services - for certification.

-Regional offices, State Dept. of Health and Social Services - for licensing (4-8 children).

Pending Legislation

-Several proposals are under consideration regarding regulation for family day care not required to be licensed but which receive public reimbursement.

-A family day care rule revision was approved in August 1989.

-Legislation pending which deals with requiring parental access, licensing enforcement, child care Resource and Referral grant program (establish, expand, and maintain).

-Legislation pending on changes in day care certification.

- -Initial inspection no longer required, instead, counties must inspect random 30% of certified providers.
- -No physical exam required.
- -Provider has up to a year (instead of 6 months) to get 10 hour training requirement finished.
- -County must certify anyone requesting it who meets requirements.
- -Certification requirements extended to inc. welfare reform day care funds.

WYOMING

Information
Supplied By: Ken Kaz
Department of Family Services
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499 regulated family day care homes and 281 regulated large family day care homes statewide.

Regulations and Requirements

-Licensing required; no fee.
-FDCH may have up to 6 children including own preschool age children. Infant care limited to 2 unless another adult is present; then infant capacity can be increased to 5.
-Licenses renewed annually.
-Liability insurance not required, but strongly recommended.
-Homes inspected before licensing and then annually (inspections are unannounced).
-Space requirements: 35 sq. ft. per child inside the home, 75 sq. ft per child outside the home.
-**Large Family Day Care Homes:**
  -Maximum of 11 children.
  -Staff ratio: 1:11; no more than 2 infants.
  -Must have fire and health inspections as well as a licensing inspection.

Training and Orientation

-8 clock hours of training required annually as well as first aid training, and infant and child CPR.

Provider Qualifications

-Provider must be at least 19 years old.
-Provider must possess or have done at least one of the following: high school diploma or the equivalent, or be able to document 3+ months of supervised experience or education in care of children other than own (6+ months for providers in LFDC homes), or completed 5 clock hours of FDC training prior to certification, or have received a professional credential from nationally recognized organization.
-Physical exams and TB tests required for any household members who are active in caring for the children.
-Three written references required.
-No criminal record checks or fingerprinting required.
-Any substitute for more than 24 hours per month must also meet all the requirements.
-Provider is responsible for substitute or anyone else who comes in close contact with the day care while it is in operation.

Discipline

-Corporal punishment prohibited.

Zoning
-LFDCH must comply with local zoning codes. Fees are incurred in special instances.

Sick Child Care Regulations
-Not regulated, state will be implementing new rules on exclusion of such children in day care.

National Life Safety Fire Code
-Not adopted.

Local Contact
-County Offices of the Division of Public Assistance and Social Services.

Pending Legislation
-None.

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